



Ministry of Environment Forest
& Climate Change

National Biodiversity Authority

(An Autonomous and Statutory body of the Ministry of Environment Forests & Climate Change, Government of India)



Annual Report

2015 - 16

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ANNUAL REPORT

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NATIONAL BIODIVERSITY AUTHORITY

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5th Floor, TICEL Bio Park, CSIR Road, Taramani, Chennai - 600 113.





Dr. B.Meenakumari
Chairperson,
National Biodiversity Authority



FOREWORD

The link between climate change and biodiversity cannot be over emphasized, as it is believed that climate change could be a key driver for loss of biodiversity but it is also well understood that biodiversity can reduce the impact of climate change. An ecosystem approach is the need of the hour wherein biodiversity conservation and ecosystem based adaptation can also help in conservation of the ecological, social, economic, cultural values of the resources. Biodiversity conservation is all the more important in a country like India with a diverse range of ecosystems, high diversity at genetic and species level, large human population with multitude of cultural diversity that depends on the ecosystem for sustenance with many poor and marginalized communities living in the most vulnerable habitats.

With the obligation to conserve biodiversity, utilize biodiversity sustainably and ensure fair and equitable sharing of benefits as a result of the Convention of Biological Diversity in 1992, India has been in the forefront of enacting laws and rules to do the same. As a result, the Government of India enacted the Biodiversity Act in 2002 and Rules in 2004. Thus, the National Biodiversity Authority (NBA) was established in 2003 to implement the BD Act & Rules in a decentralized manner in a three tiered manner at the Central, State and Local levels.

The 2015-16 Annual Report documents the work of the NBA and also highlights the significant work completed at the State and Local levels through the State Biodiversity Boards (SBB) and the Biodiversity Management Committees (BMC). Important decisions, networks, partnerships and projects are also reported.

I am thankful to the Ministry of Environment, Forest and Climate Change, Members of the Authority, Members of the various Expert Committees for the support and guidance to enable NBA towards fulfilling its objectives.

I would like to record my appreciation to all the officers and staff of NBA for their work and would also like to place my heartfelt thanks to the staff of NBA and others who have helped in bringing out the Annual Report for 2015-16.

Dr. B.Meenakumari
Chairperson, NBA





T. Rabikumar, IFS
Secretary,
National Biodiversity Authority



ACKNOWLEDGEMENT

The Annual Report of the National Biodiversity Authority for 2015-16 has been compiled as per the provisions of Section 28 of the Biological Diversity Act, 2002. The report highlights the significant achievement of NBA towards implementation of the Biodiversity Rules. The Annual Report also contains brief details of the work carried out by the State Biodiversity Board.

I express my sincere thanks to the Chairperson, NBA whose advice, encouragement and knowledge supported us in achieve the goals and work plan of the year efficiently and effectively.

I would also like to thank record my gratitude towards the Ministry of Environment, Forests & Climate Change for the continued guidance, support and advice towards successful implementation of the provisions of the Biological Diversity Act. I thank all the Members of the Authority, Expert Committees for their invaluable assistance, support and guidance towards the work of the Secretariat.

I acknowledge the guiding role of the Chairperson, NBA and the Member Secretaries of the State Biodiversity Board in bringing out the Annual Report. Finally, I record my sincere acknowledgement to all officers and staff of NBA Secretariat towards their efforts in compiling and bringing out the Annual Report.

T. Rabikumar
Secretary, NBA





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CHAPTER 1

EXECUTIVE SUMMARY

The traditional ethos of conservation and sustainable management of biodiversity continues to be reflected in the current Indian plans and policies related to biodiversity conservation. Biodiversity (both flora and fauna) has traditionally been managed under a single administrative organization within the forest department of each State and Union Territory, with the advisory role of central government. Following the United Nations Convention on Biodiversity (CBD) at Rio in 1992, the Indian Government enacted the Biodiversity Act, 2002 and Biodiversity Rules, 2004 in India with key objectives of conservation of biodiversity, sustainable use of components of biodiversity and fair & equitable sharing of benefits arising out of the use of biodiversity (MoEF, 2006). Further, this led to the initiation of official entities at three levels- the Biodiversity Management Committees (BMC) at local village level, State Biodiversity Boards (SBB) at State level, and a National Biodiversity Authority (NBA). The Act clearly defines the power and limitations of BMC, SBB and NBA, rules and regulations for sustainable use of Indian biodiversity, sharing of benefits, traditional, ecological and scientific knowledge related to biodiversity.

NBA's mandate is to advise the Government of India on matters relating to conservation of biodiversity, sustainable use of its components and equitable sharing of benefits arising out of utilisation of biological resources; regulate activities and issue guidelines for access to bioresources and fair & equitable benefit sharing in accordance with the Sections 3, 4 & 6 of the Biological Diversity Act and take necessary measures to oppose the grant of intellectual property rights in any country outside India on any biological resource obtained from India or knowledge associated with such biological resource derived from India illegally. NBA provides technical guidance and financial assistance to the SBBs and BMCs and thereby plays a lead role in enhancing the effective implementation of the provisions of the BD Act.

The present report comprehensively deals with the activities and achievements undertaken during the year 2015-16.

With Official and Non-Official members providing their inputs and guidance to shape the work of the NBA, five Authority meetings were held during the year 2015-16. The key discussion included

proposal of NIC for developing total module for online submission of application and offline processing, guidelines for designated repositories developed by the Core Expert Group, notifications/orders for implementing the Nagoya Protocol on Access and Benefit Sharing and providing opportunity for interns etc. Expert Committees (EC) on various subjects constituted by NBA met several times this year and suggested recommendations. The EC on Biodiversity Management Committees (BMC) has met in order to revise the guidelines on operationalization of BMC in consultation with various stakeholders including NGOs. The EC on medicinal plants which was reconstituted deliberated on threat assessment strategies, negative list of species for exports issued by the DGFT and safeguarding of traditional knowledge relating to medicinal plants documented through People Biodiversity Registers. The EC on Access and Benefit Sharing (ABS) met six times in the course of the year and evaluated 300 applications on ABS and also provided techno-legal inputs on various generic issues such as accessing non-Indian biological resources, applicability of BD Act on the claim of improved design without using biological resources and modalities for levying upfront payments.

During this period, 349 applications were received, of which 231 were found complete in all aspects, of which 85 agreements were signed during 2015-16.

NBA has realized a sum of Rs.16.51 crores as benefit sharing 5% being the auction price towards access of Red Sanders wood from successful foreign buyers. NBA has introduced Form-C for providing the intimation for depositing micro-organisms in non-Indian Culture collections by Indian Researcher /Scientist.

The State Biodiversity Boards (SBBs) form a key link in the implementation of the Act and Rules. As of 31st March 2016, all the 29 States in India have established the SBBs. The roles and responsibilities of SBBs are clearly articulated in the Act and Rules with an emphasis on ensuring local level implementation of the Act through the Biodiversity Management Committees (BMCs). 22 SBBs have notified State Specific Rules as per the provisions of the Act, and 7 SBBs are currently finalizing the Rules. In order to ensure effective functioning of the SBBs, NBA has started to provide technical, legal, financial and strategic supports to SBBs through targeted programmes. So far, 2, 844 People's Biodiversity Registers have been prepared across India. NBA has provided financial support of Rs.3.40 crores for formation of 325 BMCs and preparation of 124 PBRs in seven SBBs during the year 2015-16. NBA has also released Rs.2.96 crores under various components, in order to strengthen the SBBs. Some of the highlights of SBBs related deliverables include, development of local language materials for awareness generation, display of posters and banners

bearing slogan on biodiversity conservation, conduction of workshops on sensitization of BD Act etc., The International Biodiversity Day was celebrated by 26 SBBs in India with special grants released to them on the theme of “Biodiversity for Sustainable Development”. The National level celebration of the International Day of Biological Diversity was held in Srinagar, Jammu & Kashmir with enthusiastic participation of all stakeholders.

In order to have focussed capacity building activities related to implementing the ABS provisions at SBB and BMC levels, NBA with the support of MoEF&CC has implemented national level ABS project under the UNEP Global Environment Facility (GEF) in ten States, viz, Andhra Pradesh, Goa, Gujarat, Himachal Pradesh, Karnataka, Odisha, Sikkim, Telangana, Tripura and West Bengal. The Centre for Biodiversity Policy and Law (CEBPOL) undertook a study visit to Norway from

15th-19th June 2016 to get in-depth understanding about the institutional mechanism and experiences therein. Third meeting of programme steering committee (PSC) was held in 27th January, 2016 besides workshop during 28th-29th January, 2016 in Odisha regarding development of a pilot study on the nature index in India. The United Nations Development Programme (UNDP) is piloting a new global initiative, the Biodiversity Finance Initiative (BIOFIN) in 31 countries, on the recommendations of the 11th Conference of the Parties (COP) to the CBD. The first meeting of the Technical Advisory Group of the BIOFIN was held during the year 2015-16. NBA supported the MoEF & CC to organize an international workshop on “Capacity Building for South, Central and West Asia on achieving Aichi Biodiversity Targets 11 and 12” during the reporting year.

The Annual Accounts of 2015-16 and Annual Plan of 2016-17 are also elaborated in this report.





CHAPTER 2

INTRODUCTION

With a rich biological diversity profile and associated traditional knowledge regarding bioresources, it is imperative for India to safeguard its invaluable biodiversity. Towards this, India has been in the forefront of various international initiatives for conservation of biodiversity, the most important being the United Nations Convention on Biological Diversity, 1992 in Rio. Biodiversity is considered as a common concern of humankind and the importance of the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components were strongly emphasised. Importantly the convention signalled the world's commitment towards sustainable development by bringing Conservation of Biological Diversity, Sustainable Use of its Components and finally Fair & Equitable Sharing of Benefits arising from the use of genetic resources as national obligations of the signatory countries.

Some of the salient points included the responsibility of each country to identify habitat of wild relatives and ensure their protection, as habitats are important for species to feed, breed, nurse their young and thrive. Biodiversity conservation should not only preserve the natural resources but also be sensitive towards the fact that many

indigenous and local communities follow a traditional lifestyle that is largely biological and natural resources dependent. With threats to loss of biodiversity and traditional knowledge, there is an urgent need to further develop scientific, technical and institutional capacities to understand biodiversity, conservation and sustainable use. International, regional and global cooperation is vital to conserve the biodiversity. Technology transfer from developed countries to developing countries is needed for the sustainable use of technology in view of the fact that most of the biodiversity occurs in developing countries but they lack the efficient technology to utilize their biodiversity. It was also recognized that economic and social development and poverty eradication are the first and overriding priorities of developing countries, since poverty and poor socio-economic development can also amongst other reasons contribute to biodiversity loss in developing countries. Sustainable utilisation of biodiversity is important to ensure the continued provisioning of natural resources and ecosystem services as economy and society of both the present and future generation is dependent on it. States have sovereign control to use their resources in a manner that they do not cause damage to

the environment of other States or of areas beyond the limits of national jurisdiction. Cooperation among the developing and developed countries on matters of mutual interest or conflicts for the conservation and sustainable use of biodiversity through competent international organizations was regarded vital. Exchange of information and consultation by respective nations on activities under their control which are likely to affect adversely the biodiversity of other nations beyond their limits by encouraging bilateral or multilateral arrangements was an important feature of CBD.

After long years of debates and negotiations, countries around the world adopted the Convention on Biological Diversity (CBD) in 1992 during the United Nations Conference on Environment and Development (UNCED) with active participation from countries including India. In response to fulfil its obligations under the CBD, Government of India enacted the Biological Diversity Act in 2002 and notified the Biodiversity Rules in 2004.

Almost immediately after the CBD was signed, India began its effort to work on a legal framework to achieve the key objectives of CBD as they are inextricably linked to sustainable development. Discussions began in 1992 to design a framework for conservation, sustainable use and fair & equitable sharing of benefits at national level. The Government of India, led by the Ministry of Environment and Forests and a range of stakeholders

elaborated the intent of implementing the CBD into an action plan by designing a comprehensive and progressive legislative framework for the country in the form of the Biological Diversity Act. After close to a decade of discussions, the Act was finally passed by the Parliament of India and received the assent of the President of India on 5th February 2003. The National Biodiversity Authority (NBA) was set up to implement the Act and came into existence on 1st October 2003 with its headquarters in Chennai. The NBA is mandated to provide enabling facilitative, regulatory and advisory functions on issues of conservation, sustainable use and fair and equitable sharing of benefits arising out of use of country's biological resources and the traditional knowledge associated. With a decentralised implementation structure to facilitate fulfilling its mandate through the State Biodiversity Boards (SBBs) and the Biodiversity Management Committees (BMCs) at the regional and local level, the NBA strives towards making biodiversity an inclusive agenda for various stakeholder groups and to mainstream concerns of implementation across various sectors and actors in the country.

State Biodiversity Boards (SBBs)

The SBBs are established by the State Governments by notification in the official gazette in accordance with Section 22 of the Act. For the Union Territories, NBA shall exercise the powers and functions of SBB. NBA may delegate all or any of its



powers or functions to such person or group of persons as specified by Central Government. The SBBs constitute a Chairperson, five ex-officio members representing various concerned departments and five expert members with in-depth knowledge on varied matters related to conservation of biological diversity, sustainable use of biological resources and fair & equitable sharing of benefits arising out of their use.

Functions of SBB

- ✦ Advise the State Governments, subject to guidelines issued by the Central Government, on matters relating to conservation of biodiversity, sustainable use of its components and fair & equitable sharing of benefits arising out of utilization of biological resources.
- ✦ Regulate, by granting approvals or otherwise, the request for commercial utilization or bio-survey and bio-utilization of any biological resources by Indians.
- ✦ Perform such other functions as necessary to carry out the provisions of this Act or as prescribed by the State Governments.

Biodiversity Management Committees (BMCs)

Local bodies constitute the Biodiversity Management Committees in accordance with Section 41 of the BD Act, within their area of jurisdiction for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals, microorganisms and chronicling of knowledge relating to biological diversity. BMC is constituted in accordance with rule 22(1) of the Biological Diversity Rules, 2004. It consists of a Chairperson and six persons nominated by the local body, of which one-third are women and 18% are Scheduled Castes / Tribes.

Functions of BMC

Prepare, maintain and validate People's Biodiversity Register (PBR) in consultation with the local people. The BMC is to maintain a Register giving information about the details of access to biological resources and traditional knowledge granted, details of the collection fee imposed and details of the benefits derived and the mode of their sharing.

Advise on any matter referred to it by the State Biodiversity Board or Authority for granting approval, to maintain data about the local vaid and practitioners using the biological resources.



CHAPTER 3

CONSTITUTION OF THE AUTHORITY

The National Biodiversity Authority is headed by a Chairperson, an eminent person with knowledge and experience in matters related to biodiversity specifically on conservation, sustainable use of biological diversity and equitable sharing of benefits. Besides, there are ten ex-officio members from related Ministries of Government of India and five non-official members, who are experts in different aspects of biodiversity management.

3.1 Functions of National Biodiversity Authority

- Advise the Government of India on matters relating to conservation of biodiversity, sustainable use of its components and fair & equitable sharing of benefits arising out of utilization of biological resources.
- Regulate activities and issue guidelines for access to biological resources and for fair and equitable sharing in accordance with Sections 3, 4 and 6 of the BD Act 2002. Certain individuals / nationals / organizations require prior approval of NBA for obtaining biological resources and/ or associated knowledge for use.
- Take necessary measures to oppose the grant of intellectual property rights in any country outside India on any biological resource obtained from India or knowledge associated with such biological resource derived illegally from India.
- Advise the State Governments in selection of areas of biodiversity importance to be notified as heritage sites and suggest measures for their management.
- National Biodiversity Authority and State Biodiversity Boards provide guidance and technical support to Biodiversity Management Committees for documenting People's Biodiversity Registers.
- Perform such other functions as may be necessary to carry out the provisions of Biological Diversity Act.

The list of ten ex-officio and five non-officio members appointed under section 8 (4) (b), (c) & (d), is at Annexure1.





CHAPTER 4

MEETINGS OF THE AUTHORITY

During the year, the Authority met five times and deliberated on various issues in detail and gave directions/suggestions to the NBA Secretariat for appropriate action. Besides, the Authority considered the ABS applications along with the recommendations of the Expert Committee on ABS, and gave decisions / suggestions to the NBA Secretariat. The agenda items discussed and outcome of the meetings are outlined below:

4.1 - 33rd Authority Meeting

The thirty third Authority meeting was held on 17th April 2015 at Chennai under the chairmanship of Shri. Hem Pande, Chairman, NBA. Some of the important items discussed and deliberated in the meeting include the proceedings of the 31st meeting of Expert Committee (EC) on Access and Benefit Sharing held on 9th March, 2015, the proposal of DAC seeking exemption of Annex-I Crops listed under International Treaty on Plant Genetic Resource for Food and Agriculture (ITPGRFA) from the purview of Section 6 of the BD Act, 2002, the draft NBA medical attendance rules, applicability of BD Act on the invention of a biogas apparatus, the justification from DBT for developing a special form for designated repositories to

supply accessions of Indian biological resources to foreign researchers for non-commercial research work and modifications in the agreement with Council of Scientific and Industrial Research (CSIR).

4.2 - 34th Authority Meeting

The thirty fourth Authority meeting was held on 29th June, 2015 at New Delhi under the chairmanship of Shri. Hem Pande, Chairman, NBA. Some of the important items discussed and deliberated in the meeting included processing of applications related to export of seaweed by Indian individual / entities, developing process for dealing the files containing agreement which do not require any action, proposal for inclusion of technical officers of NBA as complainant u/s 61(a), the augmented list of normally traded commodities and revision of benefit sharing components.



4.3 - 35th Authority Meeting



The thirty fifth Authority meeting was held on 13th October, 2015 at New Delhi under the chairmanship of Shri. Hem Pande, Chairman, NBA. Some of the important items discussed and deliberated in the meeting included the proposal of NIC for developing total module for online submission of application and offline processing, Interim report from NIOT on harmful effects of seaweed on the coral reef islands of Gulf of Mannar, taking measures to oppose the grant of intellectual property rights outside India on any biological resource obtained from India or knowledge associated with such biological resource which is derived illegally from India and draft Annual Report for 2014-15.

4.4 - 36th Authority Meeting

The thirty sixth Authority meeting was held on 6th January, 2016 at the NBA, Chennai under the chairmanship of Shri. Hem Pande, Chairman, NBA. Some of the important items discussed and deliberated in the meeting included follow up action

relating to non-receipt of response against notices issued u/s 19(3) for rejection of application in case of violations of BD Act, 2002, the augmented list of normally traded commodities, the final report submitted by the Academy of Business Studies, New Delhi on the NBA sponsored study titled “Development of a trade database on Indian bioresources utilizing customs and port data, coding of traded bioresources and standardization of nomenclature”, Guidelines for designated repositories developed by the Core Expert Group, report of sub-committee examined the deposition of microorganisms in foreign repositories for claim of novel species by Indians, Notifications/ Orders for implementing the Nagoya Protocol on Access and Benefit Sharing and providing opportunity for interns.

4.5 - 37th Authority Meeting:



The thirty seventh Authority meeting of NBA was held on 22nd March 2016 at New Delhi. Some of the important items discussed and deliberated in the meeting include proceedings of the 36th meeting of Expert

Committee on ABS held on 15th February, 2016, proposal for the preparation of newsletter through CEBPOL, the possibility of having an ENVIS node/ centre on biodiversity related issues, ceiling for outdoor treatment in the NBA medical attendance rules, format for Indian researcher/ scientist to provide intimation to the NBA for deposition of micro- organisms in non-Indian culture collections for claim of novel species and dispensing with the consultation with the BMC by the NBA/SBB for Form II and III applications in respect of biological resources already accessed for undertaking research.





CHAPTER 5

COMMITTEES CONSTITUTED BY THE AUTHORITY AND THEIR ACTIVITIES

5.1 - Expert Committee (EC) on Access and Benefit Sharing (ABS)

Applications seeking prior approval for access to biological resources and/ or associated knowledge for research, bio-survey and bio-utilization and commercial utilization, transfer of results of research, for obtaining Intellectual Property Rights for invention based on research or information on biological resources and transfer of accessed biological resources to third parties, received by NBA are evaluated by the expert committee on ABS which makes suitable recommendations for consideration of the Authority. During the year, the committee met six times viz., 28th May, 2015, 17th August, 2015, 9th October, 2015, 28th November, 2015 and 15th February, 2016, 12th March, 2016 and evaluated around 300 applications on access and benefit sharing



and provided recommendations to the Authority. Besides, the EC provided techno-legal inputs on various generic issues such as accessing non-Indian biological resources, applicability of BD Act on the claim of improved design without using biological resources and modalities for levying upfront payments.

5.2 - Expert Committee on Red Sanders to develop a comprehensive policy for utilization of the benefit sharing realized by the NBA on access of Red Sanders wood

In the 32nd Authority Meeting held in December 2014, it was decided that an Expert Committee should be formed to develop a comprehensive policy for utilizing the amount realized by the NBA/SBB as benefit sharing from the export of Red Sanders towards its protection, conservation, sustainable use. Subsequently, an "Expert Committee on Red Sanders" was constituted in March 2015. This Expert Committee met seven times viz 18th April 2015, 15th & 16th May 2015, 12th & 13th June 2015, 18th to 20th July 2015, 17th October 2015, 3rd & 4th December 2015, 8th & 9th January 2016 and discussed various issues.

Further, the Expert Committee on Red Sanders formed three sub-committees to handle the terms of references. Accordingly, the sub-committees have met three (3) times during this year and are in the process of preparing their reports to the EC.

The report will be collated by the EC and final report will be submitted to Authority. Once the Expert Committee submits the report, the same will be considered by the Authority and the benefit sharing amount will be utilized appropriately.

5.3 - Core Expert Group to fine-tune the draft notification on designation of check points and user country measures to implement the Nagoya Protocol on Access and benefit sharing:

Pursuant to the decision taken in the 32nd Authority meeting, NBA forwarded the notification on Designation of Check Points and User Country Measures to implement Nagoya Protocol on ABS to the MoEF & CC with the request to issue the said notification as an executive order. MoEF & CC has informed that since the issue is considered under CEBPOL's work plan, the draft notification communicated to this Ministry may be reconsidered and revised if required, in the light of the outcome of the work under CEBPOL. Accordingly, a Core Expert Group was constituted to re-examine and fine tune the draft notification on designation of check points and user

country measures to implement the Nagoya protocol in India. The CEG had an informal discussion meeting on 6th February 2016 on the draft notification on user country measures and check points.

5.4 - Expert Committee to revise the existing agreement formats

Based on the decision taken in the 32nd Authority meeting, an Expert Committee was constituted to revise the existing agreement formats in the light of recent developments such as notification of Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014 and entry of Nagoya Protocol on ABS into force on 12th October 2014.

The Expert Committee met thrice viz 12th June 2015, 18th August 2015, 5th February 2016 and developed a single format of agreement incorporating all the vital elements present in the existing agreements. The committee after fine tuning the draft will submit the revised agreement format to NBA for consideration.



5.5.- Core Expert Group on Designated Repository

A Core Expert Group (CEG) constituted by the 32nd Authority met on 12th March 2015 at NBA, Chennai to review the functioning of the existing national repositories designated under Section 39 of the Biological Diversity Act and to develop working guidelines for the repositories.

The Secretariat in consultation with the Chairman of the CEG developed a brief note along with a draft working guidelines for discussion and the same was circulated to the members in advance. Thereafter, a discussion meet on the legal issues pertaining to draft working guidelines developed by the CEG was held under the Chairmanship of Dr. R.S. Rana on 18th August 2015 at NBA Chennai.



The CEG in its 2nd meeting held on 5th October 2015 decided that the proposed working guidelines for designated repositories should address the specific mandate of the repositories as well as the obligations of users of biological resources for effective implementation of the BD Act.

Accordingly, CEG developed the draft guidelines for designated repositories and submitted the same to NBA Secretariat. The Authority in its 36th Meeting approved the guidelines on designated repositories. The guidelines were circulated to all the repositories.

5.6 - Expert Committee on Biodiversity Management Committee to revise the existing guidelines for Biodiversity Management Committee;

The Guidelines for operationalization of Biodiversity Management Committees (BMCs) was developed by the National Biodiversity Authority in 2013. Based on the guidelines, several States have played a facilitative role in formation, operationalization and management of BMCs. Many of the States have suggested for revision of the guidelines based on their field experience and provided their comments. Consequently, NBA has re-constituted the Expert Committee on BMC to revise the existing guidelines for BMC. The expert committee has met twice viz., 23rd April 2015 and 2nd December 2015. To



take forward the work, the EC suggested regional consultations to ascertain the views of various stakeholders including NGOs. Accordingly, three consultations were held in 14th May 2015 (Bengaluru), 8th June (Punjab) and 9th&10th July (Kolkata). Thereafter, those suggestions were discussed and debated in the second meeting held on 2nd December 2015 and the committee is in the process of revising the existing guidelines.

5.7 - Expert Committee on Normally Traded As Commodities (NTAC)

In pursuance of the decision taken in the 28th meeting of the Authority vide Agenda item 28.08.04, an Expert Committee on Normally Traded Commodities (EC on NTAC) was reconstituted (4th Reconstituted EC) under the Chairmanship of Shri. D.K. Ved, IFS (Retd), Advisor, FRLHT with the mandate to augment the list of NTACs, which may then be placed before the Authority for consideration and approval.

Accordingly, the reconstituted EC on NTAC held its meetings on 11th June, 2015 at Bangalore; 29th September, 2015 at Chennai; and a special meeting on 17th May, 2015 in Goa to consider species /biological resources/items normally traded as commodities as proposed/suggested by the Agricultural sector, Ayurvedic Drug Manufacturers Association (ADMA), Agricultural and Processed Food Products

Export Development Authority (APEDA) and Punjab Agricultural University (PAU) as Normally Traded As Commodities.

Simultaneously, the meetings of the EC on NTAC also reviewed the NBA sponsored study entitled “Development of a trade database on Indian bioresources utilizing customs and port data, coding of traded bioresources and standardization of nomenclature”, the study being carried out by the Academy of Business Studies (ABS), New Delhi with a view to finalize the study.

5.8 - Expert Committee on Medicinal Plants

Considering the importance of medicinal plants to the socio-economic, health and livelihood security of a large populace of the country as well as for sustaining its bio-cultural diversity in order to deal with emerging issues on medicinal plants comprehensively, the 34th Meeting of the Authority held on 29th June 2015 under agenda item no. 34.11 decided to reconstitute the Expert Committee (EC) on Medicinal Plants under the Chairmanship of Smt. Amarjeet Ahuja, IAS (Retd.). The EC in particular was mandated to review and render advice to National Biodiversity Authority on the gazette notifications issued under Section 38 of the BD Act.

Accordingly, the reconstituted Expert Committee met on 10th July 2015 and 26th November 2015 at NBA, Chennai to

deliberate the way forward relating to section 38 notifications, threat assessment strategies, negative list of species for exports issued by the DGFT and safeguarding of traditional knowledge relating to medicinal plants documented through People's Biodiversity Register (PBRs). A subcommittee chaired by Dr. G.A.Kinhal was formed, as part of the EC, to prepare reports on threat assessment modalities. Progress reports have been prepared as per the terms of reference for further deliberation and recommendations by the EC.





CHAPTER 6

ACTIVITIES TO REGULATE ACCESS TO BIOLOGICAL RESOURCES AND FAIR & EQUITABLE BENEFIT SHARING

As per Section 22 of the Biodiversity Act 2002, all 29 States have established State Biodiversity Boards. As of now, 22 SBBs have notified their State Biodiversity Rules, including Chhattisgarh and Telangana SBB which notified during the year 2015-16. National Biodiversity Authority too is in the process of taking initiatives to implement Biodiversity Act 2002 by forming Biodiversity Councils to monitor and implement the Biodiversity Management Committees in the Union Territories of India. NBA at the national level has been releasing grants to the SBBs for the constitution of BMCs and preparation of PBRs under the Grant-in-Aid “Preparation of PBRs” received from MoEF & CC. The following special components were also introduced as Grant-in-Aid under “Strengthening of SBBs” in order to enhance their capacity in the discharge of its mandatory functions conferred by the BD Act 2002.

- i) Infrastructure
- ii) Training & Capacity Building
- iii) Outsourcing of Staff
- iv) Translation of materials, printing and dissemination
- v) Thematic Expert Committees
- vi) Peer to Peer Learning and Exchange Visits
- vii) Developing/revamping of website and maintenance
- viii) Project Awareness Programmes
- ix) Celebration of International Biodiversity Day





CHAPTER 7

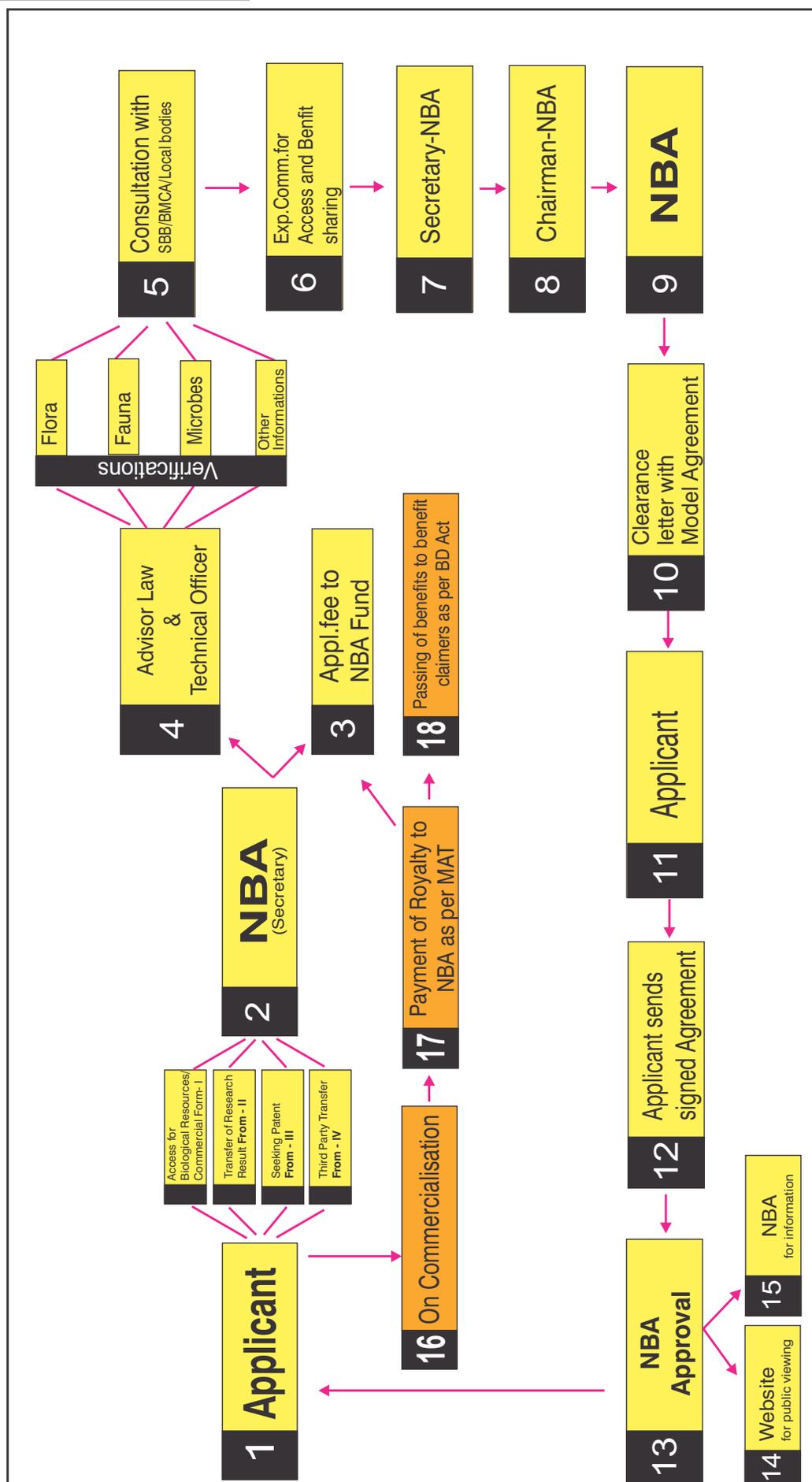
APPROVALS GRANTED BY NBA

1. The objectives of the Biological Diversity Act, 2002 are conservation of biological resources, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of the same. Accordingly, the National Biodiversity Authority is mandated to regulate activities of access to biological resources and/ or associated knowledge for research; bio-survey and bio-utilization; commercial utilization; obtaining IP rights; transfer of results of research and transfer of accessed biological resources and/ or associated knowledge. The procedures to be followed by the applicant are outlined in sections 3, 4, 6, 19 and 20 of the Act, Biological Diversity Rules 2004 and ABS Regulations 2014.
2. For such activities, NBA is receiving applications from different stakeholders viz., Non-Indian individual or entity; Indian individual or entity and the same are being examined through an expert committee constituted for this purpose. The detailed information relating to application is provided in Table – 1

Table 1- Category of ABS applications

Form no.	Purpose of application	By whom
I	Access of biological resources and/or associated traditional Knowledge for research, commercial utilization, bio-survey or bio-utilization	Non- Indian, NRI, Foreign entity or Indian entity having non-Indian participation in share capital or management
II	Transfer the results of research	Any Indian/non-Indian or entity to any non-Indian, NRI, foreign entity or Indian entity having non-Indian participation in share capital
III	Applying for Intellectual Property Right	Any Indian/ Non-Indian or entity
IV	Transfer of biological resources / knowledge already accessed, to a third party	Any person who obtained approval of NBA in Forms I to Indians / Non-Indians or entities

3. A schematic presentation of processing of ABS applications is shown below:



* For details please go through Biological Diversity Act, 2002 & Rules, 2004

4. Since inception, NBA has received 1221 applications from different stakeholders. The details are shown in Table-2. During the reporting period, NBA received 349 applications, of which 231(including those received during previous year) were found complete in all respects and taken up for processing. The stages of processing of applications are shown in Table-3.

Table 2 – Receipt of applications under different categories

Form	Category	Applications Received Since 2004
Form I	Access to biological resources and/ or associated traditional knowledge for research / commercial utilization	251
Form II	Transferring results of research for monetary consideration or otherwise.	44
Form III	Seeking no objection to obtain intellectual property rights	821
Form IV	Third Party transfer of accessed biological resources and/ or associated knowledge.	81
Form B	Conducting non-commercial research or research for emergency purpose outside India by Indian researchers/government institutions using the biological resources	11
	Not applied in prescribed form and fee	13
	Total	1221

Table 3 - Stages of processing of ABS applications

Details	Received	Cleared	Under process	Agreement signed / approved	Closure / Withdrawn	Cleared (applications received in the previous years)	Agreement Signed (applications received in the previous years)	Closure/ Withdrawn (applications received in the previous years)	Rejected
Form I	66	29	30	19	7	20	12	19	1
Form II	4	1	3	1	0	3	0	5	0
Form III	148	55	89	18	4	79	33	32	0
Form IV	3	0	2	0	1	2	2	11	0
Form B	10	6	1	6	3	1	1	0	0
TOTAL	231	91	125	44	15	105	48	67	1

7.1 - Benefit sharing realized

During this period, NBA has realized a sum of Rs.16.51 Crores as benefit sharing being 5% on the auction price on the access of Red Sanders wood from the successful foreign buyers. As referred under Chapter II, an EC on Red sanders is framing the comprehensive report for utilization of the benefit sharing.

7.2 - Generating the Internationally Recognized Certificate of Compliance (IRCC)

Under Article 17 of the Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization, Parties are required to issue a permit or its equivalent at the time of access as evidence that access to genetic resources was based on prior informed consent and that mutually agreed terms were established. Since India is a party to the Nagoya Protocol, NBA uploaded the approvals granted to access the biological resources and associated knowledge in the ABS-CH platform developed by the CBD Secretariat. The software generates Internationally Recognized Certificate of Compliance. The CBD has complimented India in hosting the first IRCC in the ABS-CH.

7.3 - Introducing Form-C

In the 36th Authority meeting, it was decided that the deposition of microorganisms by Indian researchers/scientist in other country repositories for claim of novel species for publication in journals, as required under the International Bacteriological Code of Nomenclature, does not come under the purview of the BD Act 2002. Subsequently, as decided in the 37th Authority meeting, NBA has introduced Form-C for providing the intimation for depositing the Microorganisms in non-Indian Culture collections by Indian Researcher/Scientist. However, any non-Indian person/ entity accessing the deposited Indian bioresource from the foreign repository should obtain the prior approval of NBA as per Section 3 of the BD Act, 2002.



MEASURES TAKEN IN RESPECT OF INTELLECTUAL PROPERTY RIGHTS RELATED TO GENETIC RESOURCES AND ASSOCIATED KNOWLEDGE

Biological resources as well as associated knowledge constitute raw materials /information for modern scientific research. Traditional Knowledge can provide leads to scientists including biotechnologists. Creation of private property rights through the grant of patent, enables the IPR holder to amass huge profits and create impediments for future results. However, the benefits of this research or commercial returns are not shared with the conservers and holders of biological resource and associated knowledge. CBD is an attempt to balance these competing interests by creation of an international mandate for access through prior informed consent and benefit sharing based on mutually agreed terms. India enacted the Biological Diversity Act, 2002 for implementing the triple objectives of CBD, viz., conservation of biological diversity, sustainable use of its components and fair & equitable sharing of the benefits arising out of the use of biological resources. Section 6 of The Biological Diversity Act, 2002 require that any person applying for any Intellectual Property Right for an invention based on any research or information on a biological resource

obtained from India, shall obtain prior approval of National Biodiversity Authority. But still there are attempts to patent inventions based on biological resources and associated knowledge obtained from India without complying to the access and benefit sharing obligations. The National Biodiversity Authority is empowered under Section 18(4) of the Act to take measures necessary to oppose the grant of Intellectual Property Rights in any country outside India which is filed in violation of Section 6.

The 35th meeting of the Authority held on 13th October, 2015 discussed the issue and directed the NBA secretariat to take necessary measures to oppose such IPR applications. So far NBA has taken measures to oppose the grant of IPR in 6 cases. NBA has filed Third Party Observation in 3 cases in European Patent Office, and for one case in the State Intellectual Property Office (China), NBA has filed a protest petition against the grant of IPR in the Canadian Intellectual Property Office and in another case, it has filed a Third Party Observation in WIPO.



CHAPTER 9

PROGRAMS AND ACTIVITIES OF STATE BIODIVERSITY BOARDS

Andhra Pradesh

During the year, one board meeting was held on 27th November 2015. So far, 1696 Village level, 25 Mandal level, 5 Municipality level and one district level BMC have been constituted across the State. Of these, 812 village level, 5 mandal level and 1 municipality level BMC were formed during the year. The Board has approved seven applications under Sec.23 (B) and seven applications under Sec.24 (1). International Biodiversity Day was celebrated on 22nd May 2015 at Kalavani Port Auditorium, Akkayapalem, Visakhapatnam in the new State of Andhra Pradesh. Members of Jana Natya Mandali, Vizag performed a skit on biological diversity and its importance. Various competitions like painting / essay writing / slogan writing were conducted on the theme “Biodiversity and its sustainable development”. On the day of celebration, biodiversity conservers were honoured for the work rendered by them towards conservation and sustainable development of biodiversity.

Arunachal Pradesh

The Board meeting was conducted on 17th July 2015. So far, 43 BMCs have been

constituted. During the year, the Board has approved one application under Sec.24 (1). The main event of the celebration of International Day for Biological Diversity 2015 was held at Abo Tani, Hall, Hapoli, Ziro, Lower Subansiri District. More than 350 participants including Heads of the Department, village Heads, Panchayat representatives, BMC Members, NGOs, Students and public attended the celebration. The BMC Members of other districts of the State also participated in the programme. A painting competition on the theme “Biodiversity for Sustainable Development” was organized at Vivekananda Kendra Vidyalaya, Ziro. Pamphlets on activities of the Board and on the biodiversity of Arunachal Pradesh prepared by the APBB along with other reading materials were distributed to the participants. Interactive session of the Village Head called “Gaon Buras” and BMCs was organized on the day of celebration of IDB 2015. Pictorial posters and banner bearing slogan on Biodiversity conservation were displayed in every corner of Apatani Plateau. The BMCs also displayed the same in their respective villages.

Assam

Three Board meetings held during the year 2015 -16 i.e., 14th Board Meeting on 30th April 2015, 15th Board Meeting on 28th August 2015 and 16th Board Meeting on 17th December 2015. During the year, 13 Block level BMCs have been formed. So far, 186 BMCs at Block level has been constituted and 5 Anchalik/ Block level PBRs and one District level PBR documented across the State. The Board has approved one application under Sec.23 (B) and seven research proposals applications under Sec.24 (1).

The SBB conducted three Divisional Level Workshops on biodiversity for sensitization of stakeholders. A booklet on “Biodiversity for Sustainable Development” was released in English and Assamese language during the celebration of IBD 2015.

Chhattisgarh

State Biodiversity Rules vide notification No. F. 08-04/2011/10-2 dated 01/06/2015 has been published in State Official Gazette on 26th June 2015. State Govt. vide order No. F-8-4/2011/10-2 dated 1st August 2015 has nominated the DFO in each District as a nodal officer of the Technical Support Group. During the year 2015-16, 45 Village level BMCs have been formed.

The International Biodiversity Day was celebrated on 22nd May 2015 in various places in the State of Chhattisgarh by organizing functions on the theme of “Sustainable Development for Biodiversity” for the officials of State Government, experts from the field of biodiversity, citizens, students and JFMCs members. On the occasion drawing / painting, essay writing competition was also conducted for school children at the District headquarters

Goa

The Goa State Biodiversity Board was reconstituted vide Notification No. 07/17/92/STE/PART/1294, Gazette No. Series II No. 38 dated: 17/12/2015. During the year, one Board meeting and two special Board meetings were conducted. So far, 89 village level BMCs and 1 municipality level BMC have been constituted across the State of which, 46 village level BMCs and 1 municipality level BMC were formed during this reporting period. The GSBB has initiated the process for preparation of 24 PBRs.

Orientation programme on formation of BMCs and preparation of PBRs was organized for the members of BMCs and farmers. The Goa State Biodiversity Board (GSBB) with the support of National Biodiversity Authority (NBA) celebrated the International Day for Biological Diversity

2015 and on the occasion, various competitions like drawing, painting and essay writing were conducted for school children.

Gujarat

The Gujarat Biodiversity Board conducted 2 Board meetings, on 28th August 2015 (11th) and 9th December 2015 (12th) during the year. Till date, the total number of BMCs constituted across Gujarat has reached 4,834 of which 1427 village level BMCs and 2 Block level BMCs were formed during this year. Of the 441 PBRs documented, 308 BMCs were completed this year. The Board has approved 21 applications under Sec.24 (1) Prior intimation received from Indians, Indian Organizations, Companies, Association.

On the occasion of IBD 2015, a one day State level workshop was jointly organized by Gujarat Biodiversity Board, Gandhinagar and VIKSAT at VIKSAT, Ahmedabad campus on 22nd May, 2015. A book titled “Gujarat Na Sastan Pranio” and a brochure on “Gujarat Biological Diversity Act 2002” was released by the Gujarat Biodiversity Board. In addition, showcase of flora and fauna to emphasise the rich biodiversity and stalls by BMCs to market bioresource based products were also put up on the occasion. The event was well covered by print and electronic media, including being broadcasted on DD Girnar on Ahmedabad Doordarshan.

Himachal Pradesh

During the financial year 2015-16, the Himachal Pradesh State Biodiversity constituted 3 BMCs at Gram Panchayat level and one at Block level and prepared four draft PBRs. Three applications were approved under Sec.23(B) of the Act for grant of approval for commercial utilization or bio survey and bio utilization.



The Board organized State level function for celebration of the IDB on 22nd May 2015 at Gaiety Theatre, The Mall, Shimla with the collaboration of Education Department, Himachal Pradesh by organising events like spot painting competition, display of posters, exhibition, essay writing competition, skit on the theme of the year “Biodiversity for Sustainable Development” for students and teachers of local and adjoining schools of Shimla town, including an one hour live phone-in discussion through Doordarshan and All India Radio programme on the theme, “Biodiversity”. A two days training workshop on Eco-Audit with special reference to



biodiversity was conducted. The Board organized sensitization workshop on Biodiversity Assessment and Management within Municipal Corporation area, Shimla.

Under the project, a one-day dialogue on development of tools, methodologies, guidelines and framework for implementing ABS Provisions of the BD Act, 2002 and Identification of Technical Support Group for People's Biodiversity Registers was organized at Himalayan Forest Research Institute (HFRI).

Jammu & Kashmir

During the year 2015-16, J & K State Biodiversity rules were notified vide SRO-200 dated 29th June 2015. The 2nd meeting of the J & K Biodiversity Board was held on 8th December 2015. A booklet on "Biodiversity of Ladakh" was published. The board organized national level event on the occasion of International Biodiversity Day 2015.

Jharkhand

Two Board meetings (12th May 2015 & 4th February 2016) were conducted during the year 2015-16. State Government declared all Territorial Divisional Forest Officers /Deputy Conservator of Forests (including Wildlife wing) as Nodal Officers of Jharkhand Biodiversity Board vide notification no. Vanyaprani.03/2005 (part)/5916 dated 23rd November 2015. Foresters have been declared as joint signatory with the Chairman of concerned BMC for opening LBF by State Govt. vide notification no. Vanyaprani. 03/2005 (part)/5069 dated 21st September 2015. So far, 135 village level BMCs have been constituted, of which 69 BMCs were formed during the reporting period.

A booklet on the role of BMC and leaflet on BD Act & Rule were released. The International Day for Biological Diversity was celebrated on 22nd May 2015 at the State Capital. As part of celebration, essay competition and exposure visit for bird watching were organized for school and college students.

Karnataka

During the year, three Board meetings were held (28th, 29th & 30th meetings) on 27th May 2015, 6th October 2015 and 8th December 2015. The Board has recognized Tathaguni Estate (Devika Rani Roerich Estate) for the tag of Biodiversity Heritage Sites. So far, 4556 BMCs have been constituted, of which

42 BMCs were formed during the reporting year. Documentation of over 705 PBRs has been completed, of which 323 PBRs were documented during the year 2015-16. The Board has approved 117 applications under Sec.24 (1).

Karnataka Biodiversity Board is implementing a project on “Assessment of population status and removal of Bio-resources in Forests with special emphasis on Medicinal Plants in Karnataka” with the help of Karnataka Forest Department, NDRI and KAMPA. Under the UNEP-GEF-MoEF-ABS project, 20 BMCs at Taluk level were constituted in various locations spread across three ecosystems such as: agriculture, forests and wetlands. Documentation of twenty PBRs were initiated of which 16 PBRs have been completed. Several meetings were conducted with industries, like oleoresin, marine products, pharmaceuticals, traders of medicinal plants, seed industries, biotech sectors, industrial enzymes, food flavors, colors and fragrance, enzymes and emulsifier manufacturers etc. to discuss the Biological Diversity Act, ABS provisions and procedure of compliance. A State-level workshop on the economic valuation of bio-resources was organized for various Government Departments, BMC members, academicians, industries and traders of medicinal plants. During the year, the Board continued to enhance its productivity and efforts were made to create social outreach platforms that included publishing

of a quarterly newsletter, reaching out to nature lovers on the social media through blogspot and on Facebook.

Various events like essay writing, debates, painting, quiz and awareness walks on Biological Diversity were organized to mark the International Day for Biological Diversity.

Kerala

During the year, two Board meetings were conducted on 15th July 2015 and 27th November 2015. The Amendment of Kerala Biological Diversity Rules 2008 vide Gazette G.O (P) No 14/2015/Envvt was notified on 11th November 2015. A total of 978 BMCs have been constituted at Panchayat level, 60 at Municipality level and 5 at the District level. Of the total 805 PBRs completed, 47 PBRs were documented during 2015-16. Three issues of the newsletter “Green Life” were published.

KSBB celebrated the International Day for Biological diversity 2015 at Kanakakunnu Palace, Thiruvananthapuram with the focal theme on “Biodiversity for Sustainable Development”. Hon'ble Chief Minister of Kerala, Shri.Oommen Chandy inaugurated the celebration who also released a book on “Biocultural Heritage and Sustainability” published by the Kerala State Biodiversity Board. The digital photography contest “Green Images

- 2015” was organized under Amateur and Professional categories wherein about 1400 photographs pertaining to wildlife, biodiversity, sustainable agricultural practices were received with awards given to most liked entries.

To commemorate World Environment Day on 5th June 2015, KSBB in association with Kerala State Transport Corporation (KSRTC) initiated a programme to spread awareness on Sustainable Utilization of Bioresources, Environment Friendly Lifestyle and Organic Farming etc by pasting messages and stickers on KSRTC buses. A workshop was conducted on use of geospatial tools for monitoring climate change with specific focus on ODK software. Dr Udayasankar from Alabama University demonstrated the use of mobile applications for data collection.

Jaivavaividhya Ratham a mobile biodiversity exhibition mounted on a renovated KSRTC bus was initiated by KSBB. The mobile exhibition showcased the rich biodiversity of Kerala through attractive panels providing information on status, trends and threats to biodiversity of Kerala. In addition, the bus also had models of unique ecosystems of Kerala. Haritha Sangamam, a meet of farmers' who strive hard to maintain and conserve a wide range of indigenous crops and varieties was organized as part of the Jaivavaividhya Mela on 19th February 2016, including a

meeting of the BMC members representing various Panchayats, Corporations and Municipalities, wherein experiences were shared with issues faced related to implementation of the Biological Diversity Act and rules.

As part of biodiversity awareness programmes KSBB has been conducting Children's Biodiversity Congress since 2008. The congress is intended to promote awareness on the importance of biodiversity in our lives and encourage children and youth to take action to protect our natural heritage. Competitions on specific themes were conducted at district level, and those who secured first place participated in the State level competitions. The competitions conducted during 2015-2016 included painting, posters, story writing and project presentations. A radio programme on Children's Biodiversity congress was aired on 16th August 2015.

KSBB has established 1000 'Biodiversity Clubs' in colleges and higher secondary schools in order to implement programmes to conserve biodiversity with student's participation. Biodiversity Conservation programmes were organized by the Biodiversity Clubs at university campus, colleges and higher secondary schools. These clubs established 'Shanthisthal', a man-made forest ecosystem in college campuses, where at least a minimum of 10-20 cents were made available for making a forest

grove with RET (Rare, Endangered and Threatened) species with the goal creating a biodiversity rich areas.

A discussion meeting was conducted with representatives of AMMOI, Kottakal Arya Vaidya Sala and Ayurvedic Medicine Manufacturers on 16th July 2015 for implementing the principles of Access and Benefit Sharing in a suitable manner either monetary/non-monetary for supporting local conservation and sustainable management of the resources.

A Nattarivusangamam meeting of traditional healers and experts from the field of traditional medicine was held on 21st February 2016 to provide a platform to share and exchange the experiences and skills inherited by the traditional healers from their forefathers.

Madhya Pradesh

During the year, 371 Village level, 2 Block level, 7 Municipality level BMCs and 1 District level BMC have been constituted. A total of 772 PBRs have been documented across the State, of which 68 PBRs were prepared during the year. The following brochures were published: -

- “Jaivividhata Sanrakshan, Samvardhan Evam Labh Prabhajan”
- Nursery technique of “*Buchnanian lanzan*”
- “Turtle Diversity” of National Chambal Sanctuary

- Threatened medicinal trees of Madhya Pradesh
- Conservation of traditional varieties of paddy and establishment of community seed bank by BMC, Pithorabad, Satna.

A booklet on constitution, roles and responsibilities of BMCs “Jaivividhata Suraksha Evam Prabandan” was released. The Board organized Best Biodiversity Garden Competition 2015 in each District of the State for creating awareness in urban population with a cash award of Rs.5, 000/- and certificate conferred on the winners. The stall of MP SBB was adjudged best in the International Herbal Fair, 2015 held at Bhopal. IDB 2015 was celebrated in 51 District headquarters, 35 BMCs with a State level programme organised in Bhopal. Besides, the Board also celebrated Mowgli Bal Utsav 2015 by organizing an outreach programme for school children. BMC sensitization programme was taken up in 40 Districts through Master Trainers /Jaividdood / NGO's trained by the Board.

Maharashtra

During the year, the Maharashtra SBB conducted its 11th Board meeting on 9th November 2015. “Blue Mormon” (*Papilio polymnestor*) has been declared as the “State Butterfly” by the Government of Maharashtra vide GR No.WLP 0715/CR 248/F-1 dated 5th August 2015. Of the total 1745 BMCs at Village level, 5 Block level, 34 Nagar Palika and 1 Zilla parishad level

constituted in the State, 866 at Village level and 29 at Nagar Palika level were formed during this reporting period. 60 PBRs have been completed during the year and are under process of validation. Seven applications were approved under Sec.23 (B) of the Act grant of approval for commercial utilization or bio-survey & bio-utilization. The following brochures are brought out by the Board during the year 2015-16.

- Mahashir fish conservation scheme in Melghat area
- Sustainable Development Goals
- Introduction of Medicinal Plants & their utilization at home in English and Marathi.
- Guidelines on ABS 2014
- *Ceropegia* of Maharashtra

International Day for Biological Diversity was celebrated on 22nd May 2015 by organizing State level programme at Hotel Centre Point, Nagpur with a press conference and wide publicity given in the local media. The Board organized workshops and District level BMC meeting on “Sensitization of BD Act 2002” and “Preparation of PBRs” for members of Gramsevak and Panchayat, BMC members, NGO's, Experts and field staff. MSBB has framed the syllabus for a five days training course to enable trained manpower among BMC's in the State for creating awareness about the Biological Diversity Act, 2002.

Manipur

During the year, the 13th Board meeting was held on 21st August, 2015. So far, 52 BMCs have been constituted, 12 PBRs were documented, of which 2 PBRs were documented during the financial year 2015-16. International day for Biological Diversity was celebrated on 22nd May 2015 at MDF Hall. Various competitions like drawing, painting etc., was conducted in 5 hill Districts and 4 valley Districts of Manipur and the winners were felicitated.

Meghalaya



During the year, two Board meetings were held on 1st May 2015 and 27th November 2015 respectively. Nomination of two members as non-official members of the Board vide Notification No.FOR.57/2002/Vol-II/639 dated 24th November 2015 was undertaken this reporting period. Hundred village level BMCs have been constituted across the State. Mawphlang Sacred Grove in Meghalaya has been identified to be declared as the first Biodiversity Heritage Site of the State. The Board has approved 7 applications under Sec.24 (I). International

Biodiversity Day, 2015 was celebrated in all the 11 Districts of Meghalaya. A book on “Wild Orchids of Meghalaya: A Pictorial Guide” and Posters on Biodiversity “Clouded Leopard” (The State animal of Meghalaya), Bamboo Orchid, Pitcher plant, *Drosera peltata*, *Paphiopedilum* and Orchids of Meghalaya were released. Prizes were also distributed to the winners of various competitions like State Level Photography, Essay writing and paintings. The website of Meghalaya Board was also launched on this occasion. First Research Grant was given to 10 Research Projects to promote research on Biodiversity.

Mizoram

During the year, one Board meeting held on 31st July 2015. So far, 221 BMCs have been constituted. A total of 4 PBRs have been documented across the State. The Board celebrated IDB 2015 at Diakkawn YMA Hall, Kolasib.

Nagaland

Nagaland State Biodiversity Board has constituted 10 village level BMCs. During the year 2015-16, one village level PBR has been documented.

Odisha

The Odisha Biodiversity Board has been reconstituted vide notification No.10F (TR) 42/2015/20859/F7E, Bhubaneswar dated 26th November 2015. The seventh



and eighth meeting of the Odisha Biodiversity Board was held on 28th August 2015 and 21st December/2015 respectively. So far, 437 BMCs have been constituted at Panchayat level and 59 PBRs have been documented.

Capacity building training program was organised for major stakeholders like frontline staff of Odisha forest department and members of BMCs. In order to create awareness and to enhance basic level of knowledge in biodiversity, the Board organized a Nature walk programme for students; a training program for scientists and academicians to sensitize them about Biological Diversity Act and Rules. Two posters on “Endemic Plants of Odisha” and “Carnivorous Plants of Odisha”, and two brochures on “Pangolins. An Urgent Call for Conservation” and “Ecology and Conservation Status of Otters in Odisha” have been prepared. Awareness programmes on “General Aspect of Biodiversity of Odisha” and “Law & Policy about BD Act” have been broadcasted on the All India Radio.

IBD 2015 was celebrated by organizing a conference on 'Conservation of Biodiversity for Sustainable Development in Odisha' and also in different parts of the State through 20 forest divisions by organizing seminars, awareness programme for school children, forest guards and forester trainees etc.,

Punjab



The 7th meeting of the Punjab Biodiversity Board was held on 29th September 2015. During the year, six block level BMCs have been constituted while the final draft of 9 District level PBRs are been finalised.

The Member Secretary, Punjab Biodiversity Board has been nominated as Jury Member for India Biodiversity Awards, 2016 announced by MoEF & CC, NBA and UNDP. An exhibition on “Floral Diversity” was organized on 27th February, 2016. Participatory Resource Assessment Exercises was conducted in 11 villages for preparation of PBR. Twenty programmes were conducted throughout the State in collaboration with Academic Institutions (Universities, Colleges and Schools), Non-

Governmental Organizations and Village BMCs.

The International Day for Biological Diversity (22nd May) was observed by undertaking various activities throughout the week all across the State in collaboration with District Administrations, Biodiversity Management Committees, Universities, Pro-active NGOs, etc. An advertisement for celebration of International Biodiversity Day, 2015 was published in leading English and Punjabi Newspapers for raising awareness among masses to conserve biodiversity and bio-resources. In collaboration with the Pushpa Gujral Science City (PGSC), Kapurthala a programme was organised in which more than 45 members of District/Village level BMCs, representa-tives of government line departments besides 400 students and teachers participated. Special interactive sessions for BMC members to sharer experiences, screening of film shows and documentary on biodiversity at the 'Climate Change Theatre' were part of the event., For schoold children plays and painting competitions, visit to various scientific galleries of Pushpa Gujral Science City and planting of native trees were organised. An interactive exhibition was also put up to understand the legacy of Biodiversity of Punjab through exhibition and fun games like a redesigned “Snakes & Ladder” to spread the message of conservation of biodiversity and sustainable utilization of natural resource.

Rajasthan

Thirty two BMCs at Panchayat level and one BMC at Block level have been constituted so far. International Biodiversity Day was celebrated on 22nd May, 2015 at Ratangarh, Churu District, in which the Hon'ble Minister for Forest, Environment and Mining was chief guest who also



released a book on Guidelines of Biodiversity. On the occasion, a workshop cum training programme was conducted for nearly 200 participants from local bodies like Sarpanch and Ward Panch. The Board has published the Biodiversity Newsletter during the year.

Sikkim

The Sikkim Biodiversity Board was reconstituted vide Notification No.50/ Home / 2015 dated 13th October 2015. Of the 25 BMCs formed so far 12 BMCs and one PBR were constituted this year.

The International Day for Biological Diversity was celebrated from 22nd May to

24th May 2015. The highlight of the programme was a giant street game “The Biodiversity March” conducted on the MG Marg outside Star Hall where people could play and win exciting prizes by understanding biodiversity. A three-day exhibition at the Star Hall Gangtok on Seeds and Stamps was organized by the Board in collaboration with NGOs showcased the rich diversity of the State.

Tamil Nadu



The Government of Tamil Nadu extended the tenure of the Tamil Nadu Biodiversity Board by one year (or) reconstituted of New Board, whichever is earlier vide G.O.(Ms)No.36 Environment and Forests (FR. V) Department dated 29th February 2016. Four sites in the State have been identified as Biodiversity Heritage Sites. International Biodiversity Day on 22nd May 2015 was observed through a one-day workshop on 22nd May 2015 at the Anna Institute of Management. The workshop was inaugurated by Prof. M. S. Swaminathan and was well attended by institutions, experts in the field of biodiversity conservations. A special

exposure lecture was organized for the benefit of the senior officers at Chennai on institutional mechanism for biodiversity conservation.

Telangana

During 2015-16, Telangana State Government has issued orders notifying the 'Telangana State Biological Diversity Rules, 2015' under section 63(1) of the Biological Diversity Act, 2002 (Central Act No.18 of 2003) vide G.O.MS.No. 23, Environment, Forests, Science & Technology (For.II) Department, Dated: 14th May 2015 for implementing the Act in Telangana State. The members of the Telangana State Biodiversity Board met once in the reporting period on 11th January 2016. So far, 1443 Village level BMCs, 12 Block level BMCs and 4 District level BMCs have been constituted and 9 PBRs documented in the State. 13 applications were approved under Sec.23 (B) of the BD. TSBDB, so far has entered into three Access and Benefit Sharing agreements. Five Expert Committee meetings were conducted by the Board.

Six Hundred and fifty one training cum awareness programmes have been conducted for various stakeholders on Biodiversity Act & Rules, Constitution of BMCs, Preparation of PBRs etc. Peer to Peer learning and exchange visits were organized within and outside the State. Two days Training Programmes were conducted for selected Agencies/Organizations by

experts from "Foundation for Revitalisation of Local Health Traditions (FRLHT)", Bengaluru on preparation of People's Biodiversity Registers (PBRs) at BMC level and documentation of Tradable Bio Resources at District level. An orientation workshop was conducted at G.P.Birla Science Centre, Hyderabad with representatives of Biotech companies for strengthening the implementation of Biological Diversity Act and Rules with focus on its Access Benefit Sharing provisions. Under UNEP-GEF-MoEF-ABS project, the traditional knowledge related to biological resources was documented with the help of healers at Ramayanpet and Tuniki villages of Medak District, for curing jaundice, malaria, typhoid, sugar control and bone setting. Telangana State Biodiversity Board made a visit to Madanapalli BMC, Ranga Reddy District. The Member Secretary and Regional Biodiversity Coordinators had good interaction with the Sarpanch as well as the BMC members of the village and they appreciated participation of women in the programme. The villagers were updated on the importance of biodiversity and role of the BMC. The Board organized a one day State level Media Workshop on Access and Benefit Sharing (ABS) for creating awareness among the media persons about the Biological Diversity Act, 2002 and related State Rules which have been constituted recently in 2015 at Golconda Hotel, Hyderabad on 16th June .2015 by involving ICAR institutes; Indian Institute of

Oilseeds Research (IIOR) and National Academy of Agriculture Research Management (NAARAM). Telangana State Biodiversity Board website was launched on 22nd May, 2015 to disseminate information on Biodiversity Board activities. A Facebook page has been specifically operated by “Telangana State Biodiversity Board” to share information on TSBDB activities from time to time. On the occasion of IDB 2015, the Board organized various events like Nature Writers Workshops and Digital Photography contest on “Insect Diversity of Telangana State”. BMCs were identified and were felicitated with the Award of Excellence for Conservation and Sustainable use of Biological Resources.

Tripura



The Tripura Biodiversity Board conducted one Board meeting on 6th January 2016. As of 31st March 2016, 223 village level and 40 Block level BMCs have been constituted in the State out of which, 44 village level and 40 Block level BMCs were formed during 2015-16. A total of 198 PBRs have been documented so far, of

which 72 PBRs were prepared this year. The Board has approved one application under Sec.24 (1).

On the occasion of IDB 2015, Tripura Biodiversity Board in collaboration with Department of Botany, Department of Forestry & Biodiversity, Tripura University and Department of Zoology, Holy Cross College, Agartala has organized a national seminar on 'Biodiversity for Sustainable Development'.

Uttarakhand

The Uttarakhand Biodiversity Board convened two meetings during the year (i.e., 9th Board meeting on 16th June 2015 and 10th Board meeting on 30th March 2016). Of the total 765 village level BMCs constituted so far, 22 BMCs were formed in the year under report. Six PBRs have been completed while documentation of 22 PBRs are in process. The Board has approved 3 applications under Sec.23 (B).

On the occasion of IDB 2015, State level function was organised by Uttarakhand Biodiversity Board at the Indian Council for Forest Research & Education (ICFRE). Three hundred fifty participants including officers of the different departments of the State Government of Uttarakhand, probationers of Indian Forest Service, frontline staff of forest department, members of BMCs of various Districts,

members of Confederation of Indian Industries (CII), Uttarakhand Chapter, other representatives of industries and members of the print and electronic media attended the function. The Board imparted training on “Biological Diversity Act, 2002 background issue and implementation” at the Forest Training Academy, Haldwani.

Uttar Pradesh

The 16th and 17th Board Meetings were held on 26th February 2015 and 16th February 2016 respectively. Sixty-six BMCs were constituted during the year taking the total BMCs in the State to 98. and of the total 83 PBRs documented so far, 72 PBRs were completed this year. The Ghariyal Rehabilitation Centre, Kukrail, Lucknow has been identified as Biodiversity Heritage Site. Five applications were approved under Sec.41(2) of the National Biodiversity Act 2002. The following posters/brochures /flyers/books were published by the Board during the year 2015-16.

- ✦ A poster on Green Calendar 2015”
- ✦ Flyers on Jamunapari Goat, Barbari Goat, Ponwar Cattle, Kherigarh Cattle, Gangateri Cattle, Bhadawari Buffalo, Red Jungle Fowl, Jamunapuri Newar Mooli, Ramnagar Giant Brinjal, Kalanamak Rice, State Symbols of UP, Diversity of Bats in UP and *Indopiptadenia oudhensis*.
- ✦ Books entitled Biodiversity: Living

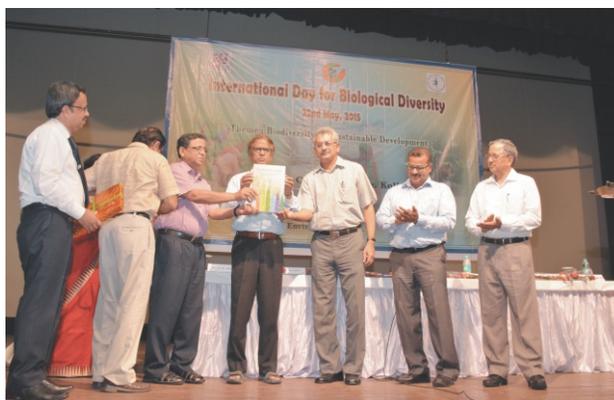
Treasures of Uttar Pradesh 'Birds of Raj Bhavan', 'Birds of UP' and 'Sparrow The Chirpy Bird'.

Uttar Pradesh SBB celebrated “Save the Frogs Day” on 26th April 2015 by conducting various competitions for school students through an art competition on “Frog Is a Part of Food Chain”, rangolis on “Frogs in Pond” and open quiz on “Frogs”. On the occasion of the International Day for Biological Diversity, U.P. State Biodiversity Board, Lucknow organized, a “Biodiversity Festival” from 17th May to 21st May, 2015., which provided an opportunity for the youth to express their thoughts and creativity through various competitions and activities. Also, a National Conference on "Biodiversity for Sustainable Development" was organized wherein, more than 350 delegates including various research organizations/ institutes, universities, officers from U.P. Forest Department and other States as well as NGOs etc., participated actively. A 222 pages souvenir on “Biodiversity for Sustainable Development” was also released with 32 biodiversity and sustainable development related articles. A 10 minutes film on biodiversity was also screened. The World Environment Day on 5th June 2015 was celebrated by creating awareness for the public on the environment degradation of using plastics. Members of the public signed on a cloth to say “No to polythene in Uttar Pradesh”, about, 1000 biodegradable bags were exchanged for plastic bags and

250 plants distributed. Prakriti Bus, a mobile exhibition on the biodiversity of Uttar Pradesh” programme is being implemented by CEE North with the support of Uttar Pradesh State Biodiversity Board (UPSBB) and Lucknow University. The Prakriti Bus entered into its second phase of visiting different schools after covering six Districts recording more than one lakh visitors. The Board also celebrated International Vulture Awareness Day from 1st to 5th September 2015 in collaboration with the Biodiversity and Wildlife Conservation Lab, Department of Zoology, University of Lucknow, and Regional Science City, Aliganj, Lucknow through awareness cars to various places to create mass awareness among the local public and students of schools, colleges, institutes and universities by distributing 5,000 booklets and 15,000 flyers on the importance of vultures. The Board also celebrated Wildlife Week from 1st to 7th October 2015, World Wetlands day on 2nd February 2016 and World Sparrow day on 20th March 2016.

West Bengal

During the year, two Board meetings were held on 9th August 2015 (31st) and 7th January, 2016 (32nd). Of the 159 Block level and 33 Municipality level BMCs constitutes, 10 Block level and 3 Municipality level BMCs were constituted this year. So far, 90 PBRs have been documented across the State, of which 14 PBRs were prepared during 2015-16. The



Board has approved 12 applications under Sec.23 (B).

The West Bengal SBB celebrated IBD on 22nd May 2015 at Kolkata. Eleven BMCs also celebrated IBD⁷ 2015 in their districts. Four programmes on Bio-Tour were conducted in association with the Botanical Survey of India to make school students familiar with the surrounding biodiversity. Orientation and capacity building programmes for the BMCs were organized in Coochbehar and Kolkata. Besides these, the Board supported a number of BMCs for organizing nature study camps and awareness generating programmes for the school students and local communities. Biodiversity Award 2016 was conferred for the outstanding contribution in biodiversity conservation. The Board facilitates in registering the rice varieties under the PPV & FR Act to establish the proprietary rights of the communities/individuals. The Board has executed and funded documentation of biodiversity and research activities in related fields with view to collate and corroborate data for an enriched repository to support conservation, sustainable use of the biological wealth of the State.



CHAPTER 10

ACTIVITIES AND ACHIEVEMENTS

1. As per the direction of the Ministry of Environment, Forest and Climate Change, NBA has organized a discussion meet with representatives of the Ayurvedic Drug Manufacturers' Association (ADMA) and Members of the Authority on 17th April 2015 under the chairmanship of Shri Hem Pande, Chairman, NBA. The members discussed issues related to BD Act with respect to ADMA such as NTC, value added products, etc. The representatives of the ADMA have expressed their appreciation for the clarifications provided by the Members of the Authority on various issues raised by the ADMA.
2. Representatives of NBA participated in the panel discussion on ABS guidelines organized by the National Seed Association of India at Hyderabad on 25th April 2015. NBA officials explained the various provisions of the BD Act, BD Rules and Guidelines on Access and Benefit Sharing Regulations to the Stakeholders.
3. A meeting to discuss exemption of crops listed in Annex I of ITPGRFA as per the notification dated 17th December 2014 issued by the MoEF & CC was held under the chairmanship of Shri Hem Pande, Additional Secretary, MoEF & CC on 13th August 2015 wherein the officials of MoEF & CC, DAC and NBA participated and discussed issues raised by the DAC for extending exemption u/s 6.
4. The Confederation of Indian Industry (CII)-ITC Centre of Excellence for Sustainable Development organized the 10th Sustainability Summit from 15th-16th September 2015 at New Delhi in which the Secretary, NBA participated as panelist in a session on ABS.
5. NBA has organized interface meeting between NBA and PPVFRA on 13th October 2015 at New Delhi to discuss mutual issues like access, benefit sharing and other related activities for exploring the common areas wherein synergy could be achieved, as requested by the PPVFRA.
6. Representatives of NBA took part in the discussion on Role of IP and innovation in India's biotechnology industry organized by ABLE, on 6th October 2015 at Chennai. Technical Officer (BS) gave an overview about

the Biological Diversity Act with special reference to Section 6 and its applicability to the biotechnology industries.

7. The MoEF & CC and NBA have jointly organized a session on Biodiversity in the Environment & Forest Ministers' Conference held on 6th & 7th April 2015. The meeting was attended by the Chairpersons and Member Secretaries of various State Biodiversity Boards wherein key issues for effective implementation of the Biological Diversity Act, 2002 were discussed. The meeting was chaired by the Hon'ble Minister for Environment, Forest & Climate Change and key actions were adopted in the Plenary session of the conference.
8. NBA has organized the 10th National Meeting of the State Biodiversity Boards on 25th-26th August 2015, New Delhi. The meeting was attended by the Chairpersons and Member Secretaries of various State Biodiversity Boards who discussed activities carried out and ongoing exercise on various provisions of the BD Act. The meeting was inaugurated by Shri Ashok Lavasa, IAS, Secretary, MoEF & CC who released the second edition of the Compendium of BD Act, Rules and Notifications brought out by the NBA. The closing session on 26th August, 2015 was graced by the presence of the Hon'ble Minister Shri Prakash Javadekar, Minister of Environment, Forest and Climate Change. He announced the call for nominations for India Biodiversity Awards 2016 which is a collaborative initiative between the Ministry and UNDP-India. He also released information brochures on BIOFIN in Marathi and Hindi and Achievements of NBA in 2014-15.
9. NBA supported the MoEF & CC to organize International workshop on "Capacity-building for South, Central and West Asia on achieving Aichi Biodiversity Targets 11 and 12" held from 7th to 10th December 2015 at MoEF & CC, New Delhi. During the meeting, 40 delegates including 25 from countries like Pakistan, Afghanistan, Kuwait, UAE, Bhutan, Nepal, Sri Lanka, Jordan, Oman, Lebanon and Iran have participated. The group also visited the Sultanpur bird Sanctuary to have first-hand knowledge on the management of protected areas.
10. NBA organized an inception meeting concerning the development of a pilot study on the Nature Index in India on 15th September 2015 at MoEF & CC, New Delhi. The meeting was jointly chaired by Shri Hem Pande, Special Secretary, MoEF & CC, and Mr. Tom Radhal, Secretary General, Ministry of Climate & Environment, Government of Norway.

11. The twelfth Foundation day of the National Biodiversity Authority was celebrated on 1st October, 2015 at NBA, Chennai. On this occasion, the NBA launched a facility for the applicants to pay the application fee online. Similarly, the NBA has given wide publicity in print media about the significance of the Biological Diversity Act, 2002.
12. NBA organized the Programme of CBD Voluntary Peer Review (VPR) process in Chennai on 18th and 19th January, 2016 and also in New Delhi from 20th to 22nd January 2016 which is aimed to build on the desk study with some additional information from stakeholders in the NBAP process.
13. NBA actively participated in the committees constituted by various Ministries/ Departments such as DGFT, ICAR, CSIR, DBT, PPVFRA, MoEF & CC, etc., and provided inputs with respect to the provisions of the Biological Diversity Act, 2002 for effective implementation of the Act.





CHAPTER 11

REVIEW OF LEGAL AND REGULATORY FRAMEWORK

11.1 Notification of Threatened Species of Plants and Animals u/s 38 of the Biological Diversity Act, 2002.

Section 38 of the Biological Diversity Act, 2002 empowers the Central Government, in consultation with the concerned State Government, to notify species of plants and animals which are on the verge of extinction or likely to become extinct in the near future as a threatened species and prohibit or regulate collection thereof for any purpose and take appropriate steps to rehabilitate and preserve those species.

The Ministry of Environment, Forest and Climate Change (MoEF & CC), Government of India, in consultation with concerned State Governments, have notified the species which are on the verge

of extinction or likely to become extinct in the near future as threatened species in 16 States and 2 Union Territories, namely, Bihar, Goa, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Manipur, Meghalaya, Mizoram, Odisha, Punjab, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand, West Bengal, Andaman and Nicobar Islands, Daman & Diu (notified during the reporting period vide MoEF & CC S.O116 (E) dated 29th April 2015) and Dadra & Nagar Haveli. These notifications confers power to the State Biodiversity Boards (SBBs) for regulating access to the notified species and take appropriate steps to rehabilitate and preserve those species.

11.2 Legal Cell

The ABS Agreements signed during the year 2015 - 2016

Total applications entered into agreement					
Year	Form I	Form II	Form III	Form IV	Total
2015 -2016	31	1	51	2	85

Litigations currently being pursued by or against National Biodiversity Authority

Legal Cell is responsible for dealing with litigations by or against the National Biodiversity Authority/Ministry of

Environment and Forests before various courts/tribunals and for assisting the Counsels appearing for the National

Biodiversity Authority. The National Biodiversity Authority is taking active steps with regard to cases related to the violation of

the Biological Diversity Act, 2002 and any order or direction issued under the said Act.

List of court cases of NBA pending before various courts/ tribunals

There are 14 cases that are pending before various Courts of law and are being pursued

1. The Hon'ble Supreme Court of India (3 cases),
2. The Hon'ble High Court of Karnataka, Dharwad Bench (2 cases),
3. Principal JMFC Court, Dharwad (1 case),
4. The Hon'ble High Court of Madhya Pradesh, Jabalpur Bench (1 Case),
5. National Green Tribunal, (SZ) Chennai (4 Cases),
6. The Hon'ble High Court of Bombay, Nagpur bench (1 Case),
7. National Green Tribunal, (CZ)Bhopal (1case) and
8. National Green Tribunal, Principal Bench, New Delhi (1 case).

Right to Information Act, 2005

The applications and appeals received by the National Biodiversity Authority were processed by the legal cell in consonance with the Right to Information Act, 2005 in letter and spirit and disposed of by the Central Public Information Officer or the First Appellate Authority as the case may be with the assistance of Legal Cell.

Drafting of Agreement

Legal vetting of ABS agreements, Memorandum of Understanding and other documents relating to Administrative section is one among the other functions of the Legal Cell.

State Biodiversity Rules

NBA has reviewed the State Biological Diversity Rules made by different States pursuant to the powers granted to them under Section 63 of the Biological Diversity Act, 2002. The review of the State Biological Diversity Rules has been carried out either suo moto by NBA or based on the request for review by the concerned State Biodiversity Board (SBB). So far review of 22 State rules have been undertaken by the legal team namely Andhra Pradesh, Arunachal Pradesh, Assam, Chhattisgarh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Odisha, Punjab, Rajasthan, Sikkim, Tripura, Uttar Pradesh, West Bengal, Punjab, Haryana, Manipur, Gujarat and Tamil Nadu.

FINANCE AND ACCOUNTS OF THE AUTHORITY

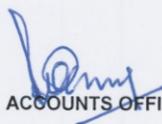
NATIONAL BIODIVERSITY AUTHORITY
TARAMANI, CHENNAI -600113

Receipts and Payments Account for the year ended 31st March, 2016

(Amount in Rs)

Receipts	Current Year: 2015-16		Previous Year: 2014-15		Payments	Current Year: 2015-16		Previous Year: 2014-15	
	Plan	Non-Plan	Plan	Non-Plan		Plan	Non-Plan	Plan	Non-Plan
I. Opening-Balances:					I. Expenditures:				
a) Cash in hand	50,000	0	30,000	0	a) Establishment-Expenses	3,20,14,017	0	3,19,15,212	
b) <u>Bank Balances:</u>					b) Administrative-Expenses	6,37,06,532		6,32,22,323	
(i) In Current A/c	0	0	0	0					
(ii) In Deposit A/c	1,20,00,000	0	0	0	II. Payment made				
(iii) In Savings A/c	24,64,59,365	0	15,19,61,719	0	towards Funding for	77,81,950	0	62,77,626	
c) GEF Bank A/c	4,64,16,714	0	2,24,78,603	0	for Various Projects				
d) CEBPOL Bank A/c	1,07,97,077	0	0	0	III. Investments / Deposits Made:				
II. Grants-Received:					a) Out of				
a) From Government of India (MoEF)	8,52,83,471	0	19,06,00,000	0	Earmarked / Endowment funds	0	0	0	
b) From State Government	0	0	0	0	b) Out of own Funds	0	0	0	
c) From other Sources	0	0	0	0	IV. Expenditure-on Fixed Assets & Capital Work -in- Progress				
III. Income on-Investments from					a) Purchase of Fixed Assets	2,03,255	0	23,63,288	
a) Earmarked / Endowment Funds	11,17,000	0	0	0	b) Expenditure on Capital Work-in Progress	16,11,385	0	0	
b) Own Funds (Other Investments)	0	0	0	0	V. Refund of Surplus money / Loans				
IV. Interest received					a) To the Govt of India for CoP-11	0	0	11,43,709	
a) On Bank S.B.A/c	80,96,496	0	67,62,633	0	b) To the State Government	0	0	0	
b) Loans, Advances, etc.	0	0	0	0	c) To other providers of funds	0	0	0	
V. Other incomes:					VI. Finance - charges (Interest)				
a) Application Fees	7,40,221	0	6,57,536	0		0	0	0	
b) Royalty Fees	174	0	2,301	0	VII. Other Payments				
c) 5% Benefit Sharing recd. from A.P. Forest Devt. Corporation Ltd.	18,83,01,918	0	15,49,65,145	0	Security/Telephone Deposits/E.M.D.repaid	90,000	0	5,33,000	
c) Miscellaneous-Income	0	0	0	0					
d) Sale of Newspapers	2,465	0	2,146	0					
e) Sale of Assets	0	0	0	0					
f) RTI filing fees	130	0	6,110	0					
VI. Amount - Borrowed				0					

Receipts	Current Year: 2015-16		Previous Year: 2014-15		Payments	Current Year: 2015-16		Previous Year: 2014-15
	Plan	Non-Plan	Plan	Non-Plan		Plan	Non-Plan	Plan
VII. Other Receipts:					SBBs.Share of Royalty	0	0	0
Earnest Money / Security Deposit / Ret.Money recd.from Contractors	7,500	0	3,31,619	0	GIA for Strengthening of SBBs.	2,99,95,884	0	4,22,94,237
Tele.Deposit (Refund)		0	0	0	GIA for Constitution of BMCs.& PBRs.Preparation	3,43,85,474	0	10,17,00,416
NBA-CPF Bank A/c (A/c closed & the proceeds received)	9,000	0	4,72,005		NBA-CPF Bank A/c (A/c closed & proceeds paid to Ex-Chairman-NBA)	0	0	4,72,005
(Contributions recd.)	0	0	0		(Contributions Transfd.)	0	0	0
NBA Staff CPS Bank A/c (Contributions recd.)	0	0	0	0	NBA Staff CPS Bank A/c (Contributions Transfd.)	0	0	0
CEBPOL Project	1,27,69,075	0	1,42,01,298	0	CEBPOL Project A/c	51,98,195		32,32,717
GEF on NBSAP Project	0	0	27,62,664	0	GEF on NBSAP Project	0	0	0
GIA for ABS Dialogue Workshops at Goa	5,40,457	0	3,62,000	0	ABS Dialogue Meeting Expenses at Goa	51,283	0	8,51,174
CBD-HLP Meetings	0	0	1,94,973	0	CBD-HLP Meetings	0	0	0
GEF.Project A/c	2,21,37,720	0	4,97,95,097	0	CoP-11 Related Exp.	55,000		0
Refund unspent balance of Cop11	2,41,474	0	0		GEF.Project A/c	4,38,95,955	0	2,58,56,986
African TK Workshop	6,66,450	0	0		UNDP.Project A/c	0	0	0
					VIII. Closing – Balances			
					a) Cash in hand	50,000	0	50,000
					b) Bank Balances:			
					(i) In Deposit A/c	26,89,76,415	0	1,20,00,000
					(ii) In Savings A/c	10,46,05,636	0	24,64,59,365
					c) GEF Cash & Bank A/c	2,46,58,479	0	4,64,16,714
					d) CEBPOL Bank A/c	1,83,57,247	0	1,07,97,077
Total	63,56,36,707	0	59,55,85,849	0	Total	63,56,36,707	0	59,55,85,849


ACCOUNTS OFFICER


SECRETARY

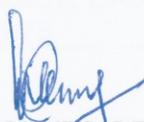

CHAIRMAN

**NATIONAL BIODIVERSITY AUTHORITY
TARAMANI, CHENNAI -600113**

Balance Sheet for the year ended 31st March, 2016

(Amount in Rs.)

CORPUS / CAPITAL FUND AND LIABILITIES	Sch. No.	Current Year: 2015-16		Previous Year: 2014-15	
		Plan	Non-Plan	Plan	Non-Plan
CAPITAL FUND	1	1,43,90,056	0	1,67,55,501	0
RESERVES AND SURPLUS	2	0	0	0	0
EARMARKED / ENDOWMENT FUNDS	3	37,45,72,573	0	16,86,90,880	0
SECURED LOANS AND BORROWINGS	4	0	0	0	0
UNSECURED LOANS AND BORROWINGS	5	0	0	0	0
DEFERRED CREDIT LIABILITIES	6	0	0	0	0
CURRENT LIABILITIES AND PROVISIONS	7	1,56,30,571	0	9,59,77,719	0
TOTAL		40,45,93,200	0	28,14,24,100	0
ASSETS					
FIXED ASSETS	8	1,50,85,734	0	1,70,55,868	0
INVESTMENTS--FROM EARMARKED/ ENDOW MENT FUNDS	9	0	0	0	0
INVESTMENTS - OTHERS	10	0	0	0	0
CURRENT ASSETS,LOANS,ADVANCES ETC.	11	38,95,07,466	0	26,43,68,232	0
MISCELLANEOUS EXPENDITURE (To the extent not written off or adjusted)			0	0	0
TOTAL		40,45,93,200	0	28,14,24,100	0
SIGNIFICANT ACCOUNTING POLICIES	24				
CONTINGENT LIABILITIES AND NOTES ON ACCOUNTS	25				



ACCOUNTS OFFICER



SECRETARY



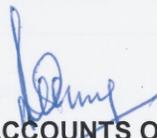
CHAIRMAN

**NATIONAL BIODIVERSITY AUTHORITY
TARAMANI, CHENNAI -600113**

Income and Expenditure Account for the year ended 31st.March,2016

(Amount in Rs.)

INCOME	Sch. No.	Current Year: 2015-16		Previous Year: 2014-15	
		Plan	Non-Plan	Plan	Non-Plan
Income from Sales / Services	12				
Grants/ Subsidies:					
Rs. Grants received as per Sch.No.13	13	17,63,03,086	0	17,91,70,216	0
un utilized Grants for 2014-15					
9,11,99,809					
Less: Capitalization of Fixed Assets-} during the year 2015-16 } (-) <u>1,80,194</u>					
Net Income from Grants					
17,63,03,086					
Fees / Subscription	14	0	0	6,57,536	0
Income from Investments (Income on Investments from Earmarked / Endowment Funds transferred to Funds)	15	0	0	10,76,783	0
Income from Royalty, Publication etc.	16	0	0	15,49,67,446	0
Interest Earned	17	41,50,548	0	65,17,315	0
Other Income	18	2,595	0	8,256	0
Increase / (decrease) in stock of Finished goods and works in-progress	19	0	0	0	0
TOTAL (A)		18,04,56,229	0	34,23,97,552	0
EXPENDITURE					
Establishment Expenses	20	3,20,13,387	0	33,014,599.00	0
Other Administrative Expenses etc.	21	7,33,00,527	0	6,28,46,284	0
Expenditure on Grants, Subsidies etc.	22	6,43,81,358	0	15,02,59,779	0
Interest	23	0	0	0	0
Depreciation as per Schedule 8		21,73,389	0	25,76,833	0
Loss on Sale of Assets		8,177	0	0	0
TOTAL (B)		17,18,76,838	0	24,86,97,495	0
Balance being excess of Income over Expenditure (A-B)		85,79,391	0	9,37,00,057	0
SIGNIFICANT ACCOUNTING POLICIES	24				
CONTINGENT LIABILITIES AND NOTES ON ACCOUNTS	25				


ACCOUNTS OFFICER


SECRETARY


CHIARMAN

CHAPTER 13

ANNUAL PLAN OF THE YEAR

ANNUAL PLAN FOR THE YEAR 2016 – 17

National Biodiversity Authority earmarked certain key tasks to be carried out during 2016-17 while fulfilling its commitment to India's National Biodiversity Target in harmony with CBD's Strategic Plan for 2011-20 and Aichi Target.

In pursuance of the national target, following activities have been prioritized by NBA for implementation involving the network of SBBs and BMCs all over the country.

1. Strengthening institutional mechanism of SBB/ BMC in the country and dialogue with Panchayati Raj Institutions in the states regarding constitution of BMCs, Preparation of PBRs and capacity building at stakeholder level
2. Revision of BMC guidelines based on inputs/ comments received from different quarters all across the country.
3. Digitization of PBR in association with NIC to develop a uniform format for compiling the PBR data documented by the SBBs.
4. Dialogue and consultation with the administration of Union Territories to implement the provisions under section 22(2) of the BD Act.
5. Financial assistance to engage the CSOs, academia, research institutes and Govt. departments in awareness generation and capacity building.
6. Community Outreach and mobilization through advertisement in print and electronic media, circulation of NBA quarterly newsletter.
7. Develop a guideline to utilize the National Biodiversity Fund under section 27 of the BD Act and policy for utilizing the benefit sharing realized on account of the access of Red Sanders wood by foreign entities.
8. Monitoring the utilization of biological resources for patent activities and initiating to oppose violations measures.
9. Launching of Online Application system for ABS approvals.
10. Need based augmentation of the list of biological resources as normally traded commodities (NTC) under section 40 of the BD Act.





CHAPTER 14

EXTERNALLY AIDED PROJECTS

14.1 BIODIVERSITY FINANCE INITIATIVE (BIOFIN) - India under the GOI-UNDP 'Strengthening Natural Resource Management Project'.

United Nations Development Programme (UNDP) is piloting a new global initiative in 31 countries, the Biodiversity Finance Initiative (BIOFIN). This initiative is established in the wake of the recommendations of the 11th Conference of the Parties (COP) to the CBD. The BIOFIN initiative focuses on the development of a new methodological framework for measuring past expenditures, calculating the investment required in the future on the basis of national biodiversity strategies and action plans, and to develop and launch the implementation of nationally relevant resource mobilisation strategies.

BIOFIN in India is led by the Ministry of Environment, Forest and Climate Change (MoEF & CC). The initiative is hosted by the National Biodiversity Authority working with the State Biodiversity Boards of Uttarakhand and Maharashtra. Technical assistance is provided by Wildlife Institute of India (WII) and National Institute of Public Finance and Policy (NIPFP). UNDP India manages the programme under the

guidance of MoEF & CC. A Steering Committee with representatives from relevant ministries oversees the programme and a Technical Advisory Group (TAG) constituted by the MoEF & CC provides technical guidance to the BIOFIN Initiative.

The First Meeting of the Technical Advisory Group of the Biodiversity Finance Initiative (BIOFIN) was held on 13th July 2015 at the Ministry of Environment, Forest and Climate Change, New Delhi. The meeting in particular deliberated on the methodology to be adopted by both the technical partners the Wildlife Institute of India (WII) and the National Institute of Public Finance and Policy (NIPFP), in moving forward the project. It was also deliberated to intimate all the State Biodiversity Boards (SBBs) explaining the BIOFIN programme and referring to the SBSAPs prepared earlier, inform them about the updated National Biodiversity Action Plan (NBAP) and the National Biodiversity Targets (NBTs) and request them to prioritise actions accordingly.

In continuation of the above, the WII with the active support of the NBA, MoEF & CC and UNDP had organized a National Stakeholder Meeting of the BIOFIN on 14th - 15th January, 2016 at the MoEF & CC, New

Delhi. The BIOFIN Partners meeting was held on 13th -14th March, 2016 and 5th April, 2016 to review the BIOFIN methodology as well as the appraisal of relevant programmes at Central and State level in both Maharashtra and Uttarakhand, the two pilot States under the BIOFIN programme.

14.2 CENTRE FOR BIODIVERSITY POLICY AND LAW (CEBPOL)



The Centre for Biodiversity Policy and Law (CEBPOL) aims to provide advice and support to the Government of India and Norway on Biodiversity Policy and Law related issues including complex negotiations on Access and Benefit Sharing and Traditional knowledge as well as governance issues relating to biodiversity at the National and International level. The Centre proposes to help NBA in the effective implementation of International agreements on conservation, sustainable use and the associated access and benefit sharing components of it.

As part of the implementation of the programme in 2015, a study visit to Norway

took place from June 15th to 19th for the consultants and fellows in the CEBPOL team and for associated resource persons in NBA and the MoEF & CC, Govt. of India. The purpose of the visit was to get a more in-depth insight into the Norwegian experience and institutional capacities pertaining to the themes in the CEBPOL work programme, especially related to Access and Benefit Sharing (ABS), Invasive Alien Species (IAS), Multilateral and Environmental Agreements (MEA), Mainstreaming of Biodiversity, Nature Index and Capacity Building.

The study trip provided opportunities for mutual learning and experience sharing and discussions on the themes identified in the work plan for 2015. During the study visit the Indian team has increased their knowledge about the available competence on the themes mentioned above in the Norwegian Environment Agency (NEA), and in other relevant Norwegian institutions, such as the Ministry of Climate and Environment, the Fritjof Nansen Institute (FNI), the Norwegian Institute for Nature Research (NINA) and the Norwegian



Biodiversity Information Centre (NBIC).

A workshop on the development of a pilot study on the Nature Index in India was organized on 28th to 29th January 2016 at Hotel; “The New Marrison” in Bhubaneswar, Odisha. Two relevant sites⁷ Chilka Lake, Odisha and Great Himalayan National Park, Himachal Pradesh were identified as pilot sites to test the Nature Index tool for India. In this workshop experts from the two sites, Indian experts on Nature Index and members of the CEBPOL team participated in the deliberations on methodologies used to gather information for selected indicators and the relevance of Nature Index in Indian context.

Along with this workshop, the third meeting of the Programme Steering Committee for CEBPOL was held on 27th January 2016 to discuss the actions taken for the decisions of the second PSC Meeting, activities carried out by the CEBPOL and NEA during the year 2015 and consideration of work plan for 2016.



14.3 UNEP-GEF-MoEF & CC ABS Strengthening the Implementation of the Biological Diversity Act and Rules with focus on its Access and Benefit Sharing Provisions

The objective of the project is to increase the institutional, individual and systemic capacities of stakeholders for effective implementation of the Biological Diversity (BD) Act, 2002 and the Rules, 2004 in order to achieve biodiversity conservation through implementing Access and Benefit Sharing (ABS) provisions.

This project is being implemented by National Biodiversity Authority (NBA) in partnership with ten State Biodiversity Boards of India viz., Andhra Pradesh, Goa, Gujarat, Karnataka, Himachal Pradesh, Sikkim, Odisha, West Bengal, Telangana and Tripura.

The project is partnered by Botanical Survey of India (BSI), Zoological Survey of India (ZSI), United Nations Development Programme (UNDP), United Nations University⁷ Institute for Advanced Study in Sustainability, Global Environment Facility (GEF), United Nations Environment Programme⁷ Division of Environmental Law and Conventions (UNEP-DELIC).

The project components constitute -

- Identification of biodiversity with potential for ABS and their valuation in selected ecosystems such as forest, agriculture and wetlands.

- Development of tools, methodologies, guidelines, frameworks for implementing ABS provisions of the Biological Diversity Act.
- Piloting agreements on ABS.
- Implementation of policy and regulatory framework(s) relating to ABS provisions at national level and thereby contribute to International ABS policy issues.
- Capacity building for strengthening implementation of ABS provisions of Biological Diversity Act.
- Increasing public awareness

During the reporting period following key activities were carried out under the project:

- * The State level economic valuation workshops were held in States of Karnataka, Goa and Tripura with participation from academicians, line department officials, bio-resources based industries and scientific institutions.
- * Legal Advisory Groups were constituted and meets were organised in Telangana, Karnataka, Andhra Pradesh, West Bengal and Tripura to discuss specific issues related to ABS and State rules while implementing the ABS mechanism in the State and also to troubleshoot the specific applications received by the board.
- * State Level Media Workshops were held in the project states to disseminate information on the importance of biodiversity and associated legal regimes of the government in access benefit sharing under the Biological Diversity Act 2002 and Rules 2004. The electronic and print media personnel participated in the workshop
- * Intra-State exchange programmes were held for the members of Biodiversity Management Committees of the States.
- * Focus group meets covering sectors such as seeds, biotechnology, bio-pharma, ayurvedic drug manufacturers, scientists, administrators, park managers, line departments, legal groups, school students and youth were held in the project States to sensitize them with biological diversity act and relevant compliance required under the Act.
- * The knowledge products developed under the project were translated and published in Kannada, Konkani, Telugu, Kokbarak and circulated among the stakeholders.
- * A specific programmes were held for Biodiversity Management Committee members to sensitize them with roles and responsibilities of members of the BMCs while implementing the Act in their jurisdictions, consent for access, PBRs documentation, book keeping and office management systems in their locations.

- * Documentation of traditional knowledge associated with bio-resources were taken up in the various locations of the project States, along with special programmes organized for communities to document the traditional knowledge associated with bio-resources.
- * A field visit was carried out along with Mr Ersin Esen, Task Manager, UNEP-GEF, Nairobi along with Project Manager, UNEP-GEF NBA in the State of Gujarat. During the visit the task manager was oriented about the statutory systems in India, PBRs documented, bioresource based products developed by the communities and details of local biodiversity funds constituted under the project.
- * The fifth Project Steering Committee (PSC) for the project was held during the month of October 2015 which appreciated the activities under the project.
- * Overall, 314 Biodiversity Management Committees were constituted; about 258 Local Biodiversity Funds were constituted; 66 Peoples' Biodiversity Registers were documented and 94 ABS access applications have been signed and around 2.24 Crores of rupees were collected at the Statutory State Biodiversity Funds in the project States.

Special Events Participated and Organised by the Project:

- Participated in the inauguration of State Environment & Forest Ministers Conference and on the side-lines of this programme a “Biodiversity Green Haat-2015” at Delhi was organised wherein an exhibit stall was put up to share the information and knowledge products on the project among the stakeholders.
- An exhibit stall has been installed to share knowledge about the BD Act and ABS provisions among the visitors at the 103rd Indian Science Congress at the premises of University of Mysore, Karnataka.
- An exhibit stall was put-up and knowledge products were shared among the visitors during the programme at the Vibrant North-East 2016 at Guwahati, Assam. The programme was jointly organised by the five State Biodiversity Boards in NE region and NBA.
- A Side-Event to share the project experiences was organised at the 9th meeting of the Adhoc open ended working group on article 8j and related provisions of the Convention on Biological Diversity in Montreal, Canada.



ANNEXURE 1

Citizen's Charter

1.1 Vision

Conservation and sustainable use of India's rich biodiversity and associated knowledge with people's participation, ensuring the process of benefit sharing for the well-being of present and future generations.

1.2 Mission

Ensure effective implementation of Biological Diversity Act, 2002 and the Biological Diversity Rules, 2004, for conservation of biodiversity, sustainable use of its components and fair and equitable sharing of benefits arising out of utilization of genetic resources.

1.3 Mandate

Reaffirm the sovereign rights over the bio-resources of India and contribute towards prevention of misappropriation of bio-resources and/ or associated knowledge.

Provide policy and support relating to conservation, sustainable use of its components and equitable sharing of benefits arising out of utilization of biological resources.

Regulate activities by formulation of guidelines, extension materials for access to biological resources and for reaching the stakeholders and ensuring fair and

equitable benefit sharing in accordance with the provisions of the Biological Diversity Act, 2002.

Take measures to oppose the grant of intellectual property rights to persons in other countries or any biological resources of India or knowledge associated with such biological resources of Indian origin.

Advise the State Governments concerning their area specific biodiversity, and in notifying Heritage Sites and also suggest measures for their management and sustainable use.

Provide guidance, technical and financial support to Biodiversity Management Committees (BMCs) for preparing People's Biodiversity Registers (PBRs) in the areas falling under their respective jurisdiction.

Perform such other functions as may be necessary to implement the provisions of Biological Diversity Act, 2002.

1.4 Stakeholders

Biodiversity is a multidisciplinary subject involving diverse activities, initiatives and stakeholders. The stakeholders in biological diversity include the Central Government, State Government, Union Territories, Institutions of Panchayat Raj and Civil Society Organizations, Industries, NGOs, Research and Development Institutions, Universities and public at large.

1.5 Services Offered

Promotion of Conservation and sustainable use of biodiversity. Coordination of the activities of the State Biodiversity Boards and Biodiversity Management Committees, Sponsor studies and adaptive /operational investigation and necessary research by providing technical guidance, and commissioning of studies as found necessary.

Advise Government of India on matters relating to conservation of biodiversity, sustainable use of its components and equitable sharing of benefits of biological resources. Grant approval for access to biological resources occurring in India or associated knowledge, for transferring the results of research, seeking intellectual property right, third party transfer of accessed bio-resource for research or for commercial utilization or for bio-survey and bio-utilization.

Facilitate access to bio-resource by all stakeholders and ensuring equitable benefit sharing between users and conservers of biodiversity in a transparent manner.

1.6 Grievances Redressal Mechanism

Administrative Officer, National Biodiversity Authority, is the designated officer for redressal of public grievances. Any grievances can be addressed to:

The Administrative Officer,
National Biodiversity Authority,
TICEL Bio Park,
5th Floor, CSIR Road, Taramani,
Chennai- 600 113
Phone: 044-2254 2777, 1075 Extension: 27
Fax: 044-2254 1200
Email: admn@nba.inc.in

1.7 Expectations from the Citizens / Clients

To abide by the provisions of the Biological Diversity Act, 2002 and rules made there under and imbibe and promote the spirit of conservation of natural resources and respect for the laws of nature and extend cooperation for carrying out the above activities by NBA and SBBs in the overall interest of human kind.



ANNEXURE 2

MEMBERS OF THE AUTHORITY

The members of the authority as per Section 8(4a) of the Biological Diversity Act 2002 are as follows:

CHAIRPERSON	PERIOD
Dr. (MS). B. Meenakumari	From 9 th February 2016 onwards
Shri.Hem Pande, IAS,	06 th Feb 2014 to 08 th Feb 2016
Dr.Balakrishna Pisupati	12 th Aug 2011 to 05 th Feb 2014
Shri M.F. Farooqui, IAS	11 th Nov 2010 to 11 th Aug 2011
Dr. P.L. Gautam	31 st Dec 2008 to 03 rd Nov 2010
Shri P.R.Mohanty, IFS	01 st Oct 2008 to 31 st Dec 2008
Shri G.K. Prasad, IFS	20 th May 2008 to 30 th Sep 2008
Dr.S.Kannaiyan	20 th May 2005 to 19 th May 2008
Shri Viswanath Anand, IAS	01 st Oct 2003 to 14 th July 2004

The present Ex-Officio Members of the Authority as per Section 8(4 b, c) are as under:

Sl. No.	Ex-Officio Member	Represented by
1.	Joint Secretary or an officer of an equivalent rank to the Government of India in the Ministry of Tribal Affairs.	Shri. Sushilesh Mohan Sahai, IFS., Director, Ministry of Tribal Affairs, Room No. 736, A-wing, 7 th Floor, Shastri Bhawan, New Delhi-110 001.
2.	Additional Director General (Forests) Ministry of Environment and Forests, Government of India.	Shri. S. S. Negi, IFS Addl. Director General of Forests, Ministry of Environment, Forest and Climate Change, Government of India Indira Paryavaran Bhawan Vayu Block, Second Floor Jor Bagh Road, New Delhi- 110003.
3.	Joint Secretary to the Government of India dealing with the subject in the Ministry of Environment and Forests	Shri. Anil Sant , IAS, Joint Secretary, Ministry of Environment, Forest and Climate Change , Indira Paryavaran Bhawan, Vayu Block, 2nd Floor, Jor Bagh Road, New Delhi-110003

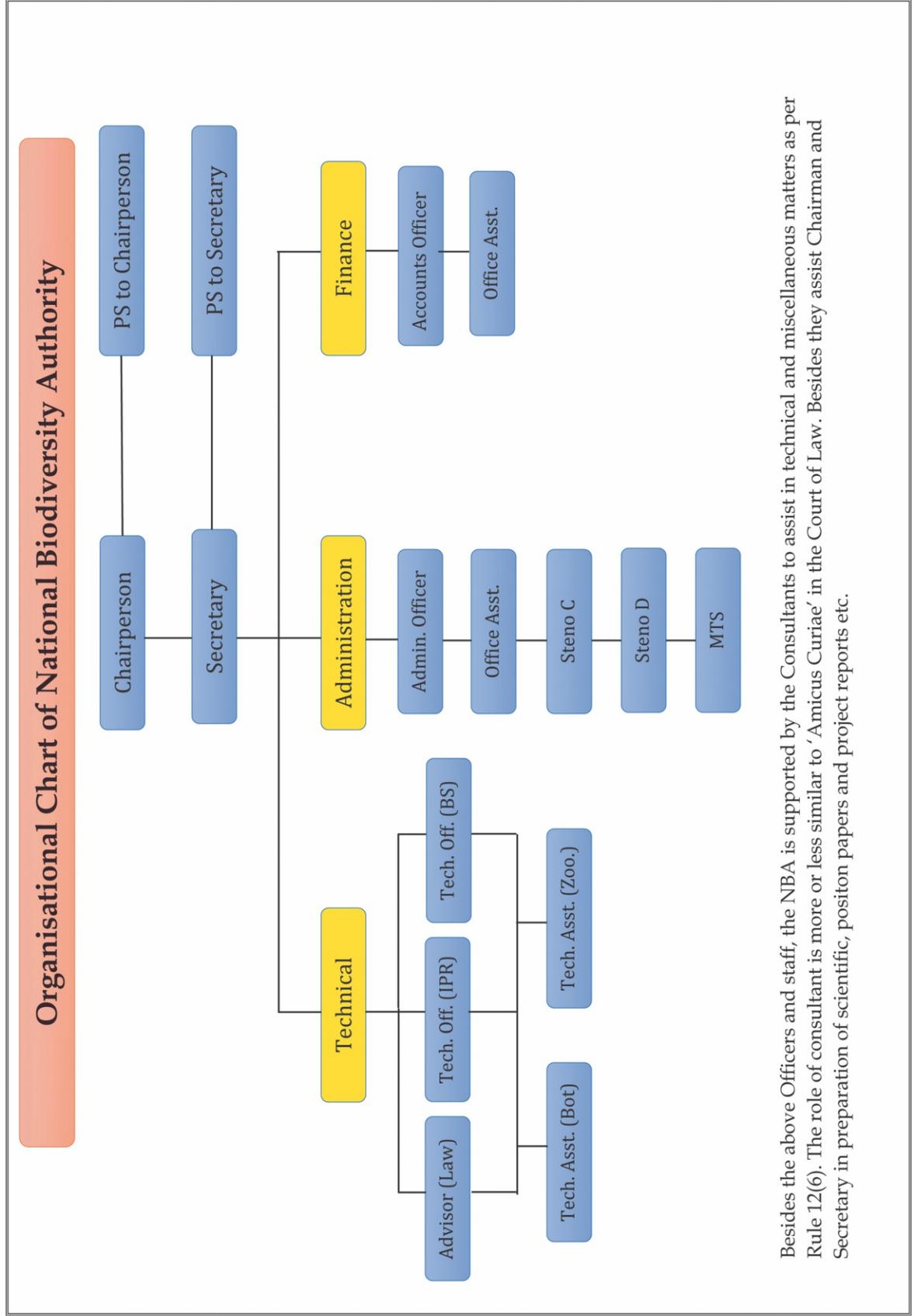
4.	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Agriculture Research and Education, Ministry of Agriculture.	Dr. Jeet Singh Sandhu, Deputy Director General (Crop Science), Division of Crop Science, ICAR Krishi Bhavan, New Delhi - 110 001
5.	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Biotechnology.	Dr.Renu Swarup, Senior Advisor, Department of Biotechnology CGO Complex, Block No. 2, Lodhi Road, New Delhi - 110 003
6.	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Ocean Development.	Dr. R. Kirubakaran Scientist G, National Institute of Ocean Technology, Ministry of Earth Sciences, Velachery – Tambaram Main Road, Narayanapuram, Pallikarani, Chennai – 600 100.
7.	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Agriculture and Cooperation.	Dr. R. K. Singh, IAS Joint Secretary (Seeds), Dept. of Agriculture and Cooperation, Room no. 244, Krishi Bhawan, Dr.Rajendra Prasad Road, New Delhi -110 001
8.	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with subject in the Department of Indian Systems of Medicine and Homeopathy.	Smt. Shomita Biswas, IFS, Chief Executive Officer, National Medicinal Plant Board, Department of AYUSH, Ministry of Health & Family Welfare, 3rd Floor, AYUSH Bhawan, B Block, G.P.O. Complex, I.N.A., New Delhi -110 023
9.	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Space and Technology.	Dr. B. K. Shukla, Scientist G, Head Planning, Coordination &Performance Management, Department of Science & Technology, Technology Bhavan, New Mehrauli Road, New Delhi – 110 016
10.	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Scientific and Industrial Research.	Department of Scientific and Industrial Research, Ministry of Science & Technology, Technology Bhawan, New Mehrauli Road, New Delhi – 110 016. (No incumbent)

NON-OFFICIAL MEMBERS (From 17th October, 2013 to 16th October, 2016)	
1.	Dr. S. Subramaniyan, 54, VGP, Golden Sea View, Part-II, 2nd Main Road, 5th Cross Street, Palavakkam, Chennai-600 041.
2.	Dr.R.S.Rana, Chairman, Bio-Link, D-43, Indraprastha Apartments, Sector 14, Rohini, New Delhi-110 025.
3.	Prof. M. K. Ramesh, Professor of Law, National Law School of India, Nagarbhavi, Bangalore-560 072.
4.	Dr.Biswajit Dhar, Professor of Economics, Jawaharlal Nehru University, I Block, 1796A Chittaranjan Park, New Delhi - 110019.
	No incumbent

Secretary to the Authority Under Section 9 of Biological Diversity Rules-2004
Shri T. Rabikumar, IFS., from 02-04-2014 onwards.



ANNEXURE 3 ORGANISATIONAL STRUCTURE



Besides the above Officers and staff, the NBA is supported by the Consultants to assist in technical and miscellaneous matters as per Rule 12(6). The role of consultant is more or less similar to 'Amicus Curiae' in the Court of Law. Besides they assist Chairman and Secretary in preparation of scientific, position papers and project reports etc.

ANNEXURE 4**STAFF STRENGTH OF NBA**

POST	SANCTIONED	FILLED	VACANCY
Chairperson	1	1	-
Secretary	1	1	-
PS to Chairperson	1	1	-
PS to Secretary	1	1	-
Admin. Officer	1	1	-
Accts. Officer	1	1	-
Technical Officer	2	2	-
Advisor (Law)	1	1	-
Office/Comp.Asst	2	2	-
Technical Asst	2	2	-
Steno "C"	1	1	-
Steno "D"	1	1	-
MTS	1	1	-
Total	16	16	-

स्वीड पोस्ट

कार्यालय प्रधान निदेशक लेखापरीक्षा
वैज्ञानिक विभाग,
नई दिल्ली-110002

DIARY NO. 2807
RECEIVED ON 28/10/16

सं.प्र.नि.वै.वि./प.ले./एस.ए.आर./NBA-Chennai/2016-17/679

दिनांक:

25 OCT 2016

सेवा में,

The Secretary,
National Biodiversity Authority,
TICEL BIO PARK,
5th Floor, Taramani Road,
Taramani, Chennai-600113

विषय: वर्ष 2015-16 के लिए National Biodiversity Authority, Chennai का पृथक लेखापरीक्षा प्रतिवेदन

महोदय,

मुझे वर्ष 2015-16 के लिए National Biodiversity Authority, Chennai का पृथक लेखापरीक्षा प्रतिवेदन अग्रेषित करने का निर्देश हुआ है।

संसद के दोनों सदनों में प्रस्तुत करने से पहले वर्ष 2015-16 के वार्षिक लेखों को संस्थान के शासी निकाय द्वारा अनुमोदित किया/अपनाया जाए तथा इस संबंध में शासी निकाय द्वारा जारी किया गया रेज़ोल्यूशन ऑडिट को भेजा जाए। प्रत्येक दस्तावेज जो संसद में प्रस्तुत किया जाए उसकी तीन प्रतियाँ इस कार्यालय तथा दो प्रतियाँ भारत के नियंत्रक महालेखापरीक्षक को अग्रेषित की जाए। संसद के दोनों सदनों में प्रस्तुत करने की तिथियाँ भी इस कार्यालय को सूचित की जाए।

संलग्नक:- पृथक लेखापरीक्षा प्रतिवेदन

भवदीय,
28/10/16
निदेशक (पर्या.ले.) 25/10/16.

Annexure to circular letter No. 173-Rep (AB)/27-84(I) dated 10.01.1999

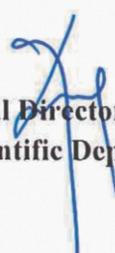
PROFORMA

(Referred in paragraph 4.11 of the Manual of Instruction for Audit of Autonomous bodies)

Proforma on progress of Audit to be sent to the office of the Comptroller and Auditor General of India along with the audited accounts and Audit Reports.

Name of the Autonomous Body : **National Biodiversity Authority, Chennai**

1.	Date of submission of the accounts to the Audit by the Autonomous Body	23-06-2016
2.	Whether applicable, reasons for returning the accounts for revision indicating why the accounts could not be certified with qualifications	NA
3.	Date of submission of revised accounts to Audit where revision was considered essential	NA
4.	Date on which Audit was taken up and completed	23-06-16 to 29-06-16
5.	Date of issue of draft SAR to autonomous body for replies/comments	20-07-2016
6.	Date of receipt of replies/comment from autonomous body	19-08-2016
7.	19-08-2016	16-09-2016
8.	(a) Date of CAG's office letter communicating approval SAR	07-10-2016
	(b) Date of receipt of letter and approval at 8(a)	19-10-2016
9.	Date of issue of final Audit Report to Government of India/State Government /CAG's office English version/Hindi version	25/11/16
10.	Reasons for delay, if any at various stages	
11.	Date of presentation of the previous Audit Report before parliament/legislature (Whether the Audit Reports for previous years have not been placed, years to which these pertains, may also be indicated).	Information has been called for from the Auditee Institute .As and when the information is received ,the same would be furnished.


Principal Director of Audit,
(Scientific Departments)

Separate Audit Report of the Comptroller & Auditor General of India on the Accounts of National Biodiversity Authority, Chennai for the year ended 31 March 2016

1. We have audited the attached Balance Sheet of National Biodiversity Authority, Chennai as at 31 March 2016 and Income & Expenditure Account/Receipts & Payments Account for the year ended on that date under Section 19(2) of the Comptroller & Auditor General's (Duties, Powers & Conditions of Service) Act, 1971 read with Section 29(2) of Biological Diversity Act. These financial statements are the responsibility of the National Biodiversity Authority, Chennai's management. Our responsibility is to express an opinion on these financial statements based on our audit.

2. This Separate Audit Report contains the comments of the Comptroller & Auditor General of India (CAG) on the accounting treatment only with regard to classification, conformity with the best accounting practices, accounting standards and disclosure norms, etc., Audit observations on financial transactions with regard to compliance with the Law, Rules & Regulations (Propriety and Regularity) and efficiency-cum-performance aspects, etc., if any, are reported through Inspection Reports/CAG's Audit Reports separately.

3. We have conducted our audit in accordance with auditing standards generally accepted in India. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatements. An audit includes examining, on a test basis, evidences supporting the amounts and disclosure in the financial statements. An Audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of financial statements. We believe that our audit provides a reasonable basis for our opinion.

4. Based on our audit, we report that

- i) We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purpose of our audit.
- ii) The Balance Sheet and Income & Expenditure Account/Receipts & Payments Account dealt with by this report have been drawn up in the format approved by the Ministry of Finance, Government of India.

iii) In our opinion, proper books of accounts and other relevant records have been maintained by the National Biodiversity Authority, Chennai as required under Section 29(2) of Biological Diversity Act in so far as it appears from our examination of such books.

iv) Based on our audit, we further report that:

(A) Balance Sheet

A.1 Current Assets, Loans & Advances (Schedule 11)

The cheques amounting to ₹ 3.50 lakh issued under Authority account three months prior to 31.03.2016 were time barred. Authority, however has not reversed these time barred cheques. This has resulted in understatement of Current Liabilities and Bank Balance by ₹ 3.50 lakhs .

A.2. Understatement of Current assets

NBA maintained two Savings Bank accounts – one called “Authority account” and another named “Fund account”. Audit check revealed that interest for the amount lying in the account was credited half yearly i.e., twice in a year once in June and other in December. Accordingly, for the “Authority account”, an amount of ₹ 31.40 lakh and ₹ 10.11 lakh was taken into Cash book as interest in June 2015 and December 2015 respectively by NBA. Similarly, for “ Fund account” , an amount of ₹ 21.19 lakh and ₹ 18.27 lakh was taken into Cash book as interest in June 2015 and December 2015, respectively by NBA. Thus, it is evident that amount of interest credited by bank did not include interest amount for the period from January 2016 to March 2016. NBA failed to get the amount of accrued interest worked out from the bank for the period from January 2016 to March 2016 and booked under current assets. This resulted in understatement of current assets as well as interest earned.

(B) General

NBA did not make provision for terminal benefits for the year 2015-16 in contravention of Accounting Standard 15 and instructions under Uniform Format of Accounts.

NBA in its Significant Accounting Policies under Schedule 24 stated that Government Grants/Subsidies are accounted on realization basis. This is not in order as the same needs to be accounted on accrual basis.

(C) Grants-in-aid

During the year 2015-16, NBA received grant-in-aid of ₹ 18.06 crore. This included unspent balance of ₹ 9.12 crore revalidated from previous year and out of the total available funds of ₹ 18.06 crore, NBA could utilize a sum of ₹ 16.97 crore leaving a balance of ₹ 1.09 crore as on 31 March 2016.

(D) Management letter

Deficiencies which have not been included in the Separate Audit Report have been brought to the notice of the National Biodiversity Authority through Management letter issued Separately for remedial/ corrective action.

v) Subject to our observations in the preceding paragraphs, we report that the Balance Sheet, Income & Expenditure Account and Receipts & Payment Account dealt with by this report are in agreement with the books of accounts.

vi) In our opinion and to the best of our information and according to the explanations given to us, the said financial statements read together with the Accounting Policies and Notes on Accounts, subject to the significant matters stated above and other matters mentioned in **Annexure I** to this Separate Audit Report give a true and fair view in conformity with accounting principles generally accepted in India.

- a. In so far as it relates to the Balance Sheet, of the state of affairs of the National Biodiversity Authority, Chennai as at 31 March 2016 and
- b. In so far as it relates Income & Expenditure Account of the surplus for the year ended on that date.

For and on behalf of the C& AG of India.

Place: New Delhi
Date: 25/3/16


Principal Director of Audit
Scientific Departments

Annexure- I

1. Adequacy of Internal Audit System

The Authority did not have their own internal audit wing. Internal Audit of NBA was conducted for the period from 2003-04 to 2008-09 during April 2009. For more than five years, no inspection was conducted by the administrative Ministry. Inspection Report pertaining to the period ending 2008-09 contained 21 paragraphs which are outstanding till date. This proved that internal audit mechanism was not effective.

2. Adequacy of Internal Control System

The internal control system is inadequate due to the fact that the Authority did not have its own internal audit set up and the external audit of Ministry was also not carried out since April 2009.

It was observed that out to grants released to 597 SBBs during the last ten years, UCs were received only in respect of 346 SBBs, leaving pendency of UCs from 251 SBBs for an amount of ₹ 29,03,31,032.

3. System of physical verification of fixed assets

NBA conducted physical verification of Assets items, stores and inventory during the year 2015-16. The surplus, damaged, unserviceable, old and obsolete items have been identified and are awaiting disposal.

4. System of physical verification of inventory

Physical verification of inventory had been carried out at regular intervals.

5. Regularity in payment of statutory dues:

The Authority was regular in payment of statutory dues.

दिनांक 25/11/16.
Director (EA)



मनीष कुमार

प्रधान निदेशक, लेखा परीक्षा
वैज्ञानिक विभाग
ए० जी० सी० आर० भवन, इन्द्रप्रस्थ एस्टेट
नई दिल्ली- 110 002
PRINCIPAL DIRECTOR OF AUDIT,
SCIENTIFIC DEPARTMENTS,
A.G.C.R. BUILDING, I. P. ESTATE,
NEW DELHI-110 002

सं.प्र.नि.वै.वि./पर्या./एस.ए.आर./एन.बी.ए.
-चैन्नई/2016-17/693 दिनांक:

25 OCT 2016

प्रिय, श्री कुमार्

I have audited the annual accounts of National Biodiversity Authority, Chennai for the year 2015-16 and have issued the Audit Report thereof vide letter dated 25/10/16. During the course of audit, some deficiencies were noticed (as per Annexure A) which are not included in the Audit Report. These are being brought to your notice for remedial and corrective action.

संलग्नक: यथोपरि

भवदीय,

Shri. T. Rabikumar, IFS,
Secretary,
National Biodiversity Authority,
TICEL BIO PARK,
5 th Floor, Taramani Road,
Taramani, Chennai-600 113

Annexure – A

1. Utilization certificates

It was observed that out of grants released to 597 SBBs during the last ten years, UCs were received only in respect of 346 SBBs, leaving pendency of UCs from 251 SBBs for an amount of ₹ 29,03,31,032.

दिना 25/4/16.
Director (EA)

About NBA

The National Biodiversity Authority (NBA) was established in 2003 to implement India's Biological Diversity Act (2002). The NBA is a Statutory, Autonomous Body and it performs facilitative, regulatory and advisory functions for Government of India on issues of conservation, sustainable use of biological resources and fair and equitable sharing of benefits arising out of the use of biological resources.

The Biological Diversity Act (2002) mandates implementation of the Act through decentralized system with the NBA focusing on advising the Central Government on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of benefits arising out of the utilization of biological resources; and advising the State Governments in the selection of areas of biodiversity importance to be notified under Sub-Section (1) of Section 37 as heritage sites and measures for the management of such heritage sites.

The State Biodiversity Boards (SBBs) focus on advising the State Governments, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilization of biological resources.

The SBBs also regulate, by granting of approvals or otherwise requests for commercial utilization or bio-survey and bio-utilization of any biological resource by Indians. The local level Biodiversity Management Committees (BMCs) are responsible for promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.

The NBA with its headquarters in Chennai, Tamil Nadu, delivers its mandate through a structure that comprises of the Authority, Secretariat, SBBs, BMCs and Expert Committees.

Since its establishment, NBA has supported creation of SBBs in 29 States and facilitated establishment of 37,769 BMCs at local level.



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