

NATIONAL BIODIVERSITY AUTHORITY

MINUTES OF THE TENTH MEETING



सत्यमेव जयते

23.11.2007
475, 9th SOUTH CROSS STREET
KAPALEESWAR NAGAR
NEELANKARAI, CHENNAI 600 041
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TENTH AUTHORITY MEETING OF NATIONAL BIODIVERSITY AUTHORITY

23rd November, 2007

MINUTES OF THE TENTH MEETING

1. MAJOR ACTIVITIES OF NBA JUNE 2007 – OCTOBER 2007

MEETINGS CONDUCTED BY NATIONAL BIODIVERSITY AUTHORITY AFTER 9th AUTHORITY MEETING

- **“National Consultation Workshop on Agrobiodiversity Hotspots and Access and Benefit Sharing”** on 19 & 20th July, 2007 organised by National Biodiversity Authority at Annamalai University, Annamalai nagar, Chidamabaram.
- **“Expert Committee Meeting to evaluate the Access, Patent, Transfer of Research Results and Material Transfer Application”** organized by National Biodiversity Authority held on 13th August, 2007 at Conference Hall of National Biodiversity Authority, Chennai.
- **“Expert Committee meeting for Determination of Benefit sharing”** organized by National Biodiversity Authority held on 14th August, 2007 at Conference Hall of National Biodiversity Authority, Chennai.
- **“Expert Committee to implement the Recommendation of National Workshop on People Biodiversity Register”** organized by National Biodiversity Authority held on 26th August, 2007 at Conference Hall of National Biodiversity Authority, Chennai.
- **“Biodiversity Training Programme of Thanjavur”** organised by National Biodiversity Authority and Environment Research centre, Thanjavur held on 3rd September, 2007 at Thanjavur.
- International Workshop on **“Gulf of Mannar Biosphere Reserve: An Ecological Model for Biodiversity Conservation, livelihood and sustainability”** held on 20-21st September, 2007 organised by National Biodiversity Authority and UNESCO, New Delhi at GRT grand, T.Nagar, Chennai
- **“Expert Committee meeting on preparation of guidelines on publication of Results of Research”** organized by National Biodiversity Authority held on 3rd October, 2007 at Conference Hall of National Biodiversity Authority, Chennai.
- **“Expert Committee meeting on Normally Traded Commodities”** held on 10th October, 2007 at Conference Hall of National Biodiversity Authority, Chennai.

2. CONFIRMATION OF MINUTES OF THE 9th MEETING OF NATIONAL BIODIVERSITY AUTHORITY (Appendix 1: Page No. 208)

1. The minutes of the 9th Authority meeting was sent to all the members by speed post vide Lr No 8/2/218/2003-07-08 NBA/1686-1701 dated 09.07.2007. An agenda submitted by **Dr S. K. Sharma**, Adviser, (AY) Ministry of Health and Family Welfare, Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) vide Do No. L. 873/Adviser (Ayurveda)/2007 dated 17th August, 2007 to include the issues sent and same was incorporated in the minutes. The Members of the Authority appreciated the achievements made during the period and the minutes of the 9th Authority meeting was approved by the members unanimously.

3. ACTION TAKEN ON THE MINUTES OF THE 9th MEETING OF NATIONAL BIODIVERSITY AUTHORITY

The action taken on the 9th authority meeting was placed for discussion. The members of the Authority carefully went through the action taken report and noted the contents.

One of the Members **Dr Sajwan** invited certain clarification on the Agenda Item No 3: 1. On the letter submitted by the National Medicinal Plant Board: item present on **the Additional Agenda for the Nineth Authority meeting with the permission of the Chair** (on page 46 of the “10th Authority meeting Agenda” on Action taken Report).

Earlier Minutes on the 9th Authority on “The issue of permitting export of Indian Medicinal Plants for WHO Indian Medicinal Plants Garden, Geneva” and it was agreed already to prepare and sign MOU between the AYUSH and WHO for the above.

For the above purpose, the NBA has to prepare a “legally vetted draft MOU” prepared from the agreements already finalized for applicants for Access, Transfer of Research Results, IPR and Third Party Transfer of bioresources to Indian Medicinal Plant Board for executing MOU between AYUSH and WHO.

ACTION: SECRETARY

Dr S. Subramaniam invited certain clarification on the Agenda item No 2. 2. *Biodiversity Conservation Park at Thiruchrapalli by NBA*: item present on **the Additional Agenda for the Nineth Authority meeting with the permission of the Chair** (on page 46 of the “10th Authority meeting Agenda” on Action taken Report).

The Chairman NBA replied to the above query that NBA has already projected funds for establishing “Biodiversity Conservation Park” in the 11th Five Year Plan. Once the funds are available, the same will be executed by NBA in selected places in India.

4. DISCUSSION ON THE AGENDA FOR 10th AUTHORITY MEETING

Agenda 1: Audit Report on the Accounts of National Bio-diversity Authority, Chennai for the year 2005-06 submitted by Principal Director of Audit (Scientific Departments)

Comments on accounts:

i) Format of accounts.

The National Bio-Diversity Authority did not prepare the Annual Accounts for the year 2005-06 in the common format prescribed for autonomous bodies. The Balance Sheet was not segregated as capital account, current liabilities and provisions and reserves on the liabilities side. The assets side was also not segregated as fixed assets, current assets, loans and advances, investments, etc.

ii) Accounting policies and Notes to Accounts.

The Significant Accounting Policies and Notes to Accounts which form part of Annual Accounts were not appended.

iii) The NBA revised its Annual Accounts at the instance of audit.

Other points of minor nature are being brought to the notice of the Management, through a separate Management letter.

The members of the authority noted the comments on the accounts by the Principal Director of Audit and informed that the Annual accounts for the year 2006-2007 should be submitted in the common format prescribed for the autonomous bodies as well as significant accounting policies and Notes to accounts should be appended by NBA.

ACTION: SECRETARY

Agenda 2: Comments on the Guidelines prepared by the Expert Committees for Notification on 1. Access and benefit sharing, 2. Enforcement of Biodiversity Act; 3. Endemic, Endangered and Threatened and 4. Designation of National Repository

The Secretary informed that NBA needs to develop a guideline for access of bioresources by foreigners. Any foreigner to access biodiversity of India required to be monitored and shall work with an Indian Research agency and abide by the protocol as proposed in the Expert committee to scrutinize the application for approval. Also he stated that the Guideline for access and Benefit sharing may be finalized once again by conducting a meeting with experts drawn from different agencies (ABS meeting proposed by NBA during December 2007)

With reference to Enforcement of Biological Diversity Act the Secretary informed that NBA needs to develop a guideline to prevent misappropriation and unauthorized access and use of Biological Resource, their derivatives and products and associated Traditional Knowledge, innovations and practices by designation of Officers for enforcement of Biological Diversity Act 2002 as per section 61 a. and the necessary corrections pointed out during the 9th Authority meeting will be carried out before being sent to the Ministry for notification.

The Secretary informed that the Guidelines on criteria to categorize and list threatened species in India the necessary clarifications will be made as proposed

With regard to the finalization of the Guidelines on designation of National Repository and guidelines for the structure and functions of these repositories under Biological Diversity Act the Secretary assured that the NBA will write to all concerned organizations mentioned in the draft to act as National Designated Repositories.

The Authority, after careful examination of the comments by the Additional Director, Ministry of Environment and Forests, informed that the Guidelines on “Criteria to categorise and list of threatened species in India” to be sent to Wildlife Board of India to examine as well as the comments on the agreements by MoEF should be incorporated and sent immediately for further necessary action. Also other draft Guidelines such as Repositories, Enforcement of Biodiversity Act, Access and Benefitsharing are corrected according to the comments made by MoEF and sent back to the Administrative Ministry for further action.

ACTION: SECRETARY

Agenda 3. Request from R. Dewan & Co., Trademark and Patent Attorneys Mohan Dewan

The Secretary, NBA informed the Authority that the Honorable Attorney prayed on behalf of the applicant that the “SCHEME OF SECTION 6 OF THE ACT PROVIDES INTERALIA IN SECTION 6(2): "The National Biodiversity Authority may, while granting the approval under this section, impose benefit sharing fee or royalty or both or impose conditions including the sharing of financial benefits arising out of the commercial utilization of such rights."

Also the Attornery mentioned in his letter to NBA that “Therefore, it is clear that the act does not make it mandatory upon the NBA to impose agreements, and, terms and conditions, at the time of granting of an approval. The term ‘may’ used in the section gives a discretion to the NBA to impose or not to impose any conditions and, also vary the conditions depending upon the type of applicant.” Therefore, the condition of signing an agreement by imposition of penal royalty and requirement of reporting should be put up only in rare cases making judicious use of word ‘may’ of the act and not

mandatory for each applicant. Also the Attorney has suggested that “Our alternative suggestion is that if the Govt. wants to levy charges for use of National Bioresources then it should be leviable to all using national bioresources whether patentee or not and **may be implemented at a authority like FDA, where permissions are sought for commercial exploitation.**”

The Secretary informed that the above request was put up for Legal Opinion by NBA. The Asst. Solicitor General of India states that “The discretion that is provided under section is only in relation to imposing benefit sharing fee/royalty and not to decline to exercise the discretion vested with the National Biodiversity Authority. In view of the fact that the discretion is vested with the authority, the applicant is not entitled to compel the authority to exercise the discretion in a particular manner. So far as the act remains in the statute book, the NBA has discretion to impose restriction/condition which cannot be questioned”.

Also NBA has informed the Honorable Attorney to appear for a personal hearing on 12.10 2007 which could not be materialized due to short notice. It is proposed by Honorable Attorney another date for personal hearing.

The Secretary, NBA informed that the applicant may be requested to appear for personal hearing once again to solve the issues between the applicant and NBA as well as the legal opinion obtained from the Legal Advisor appointed by NBA in this case.

The Authority, after careful examination of the request, approved the suggestion of requesting for one more request for personal hearing to solve the issue between the applicant and the NBA. Also the Authority after careful examination of the legal opinion submitted by the Legal Advisor appointed by NBA, in connection with the sharing of benefit by the applicant, approved the legal opinion obtained and informed that the NBA has the right to impose benefit sharing on case to case basis as per the Biological Diversity Act, 2002.

ACTION: SECRETARY

Agenda 4: Permission to grant pay of Secretary, National Biodiversity Authority to Dr K. Venkataraman

The Authority, after careful examination of the request for Permission to grant pay of Secretary, National Biodiversity Authority to Dr K. Venkataraman, deliberated that it is not permissible under FR 49 as per the O.M of DOPT since the status of NBA is that of a public sector undertaking/autonomous body/registered society. Hence, Dr. K. Venkataraman is not eligible to draw the Higher Pay Scale of Secretary in NBA. However, the Authority suggested that Dr Venkataraman may be suitably compensated by anyother means for his contributions to NBA as

consultation. The Authority however reiterated that the appointment of Secretary should be expedited.

ACTION: SECRETARY

Agenda 5: Minutes of the Expert Committee to Evaluate the Access, Patent, Transfer of Research Results and Material Transfer Applications on 13.08.2007

The Secretary, NBA informed the members of the Authority that under the Chairmanship of Dr B S Dhillon, Director Research Gurunanakdev Univ. Amirtsar, Panjab and twelve other members of the committee met on 13.08.2007 and scrutinized 161 applications the submitted their comments as below:

App. No. 1: NBA/9/123/A1/07/Tecl Appl: **Dr. S. S. Gnanamanickam**, Senior Scientist – R&D, Novozymes Biologicals Inc

Comments by the EC: More information to be given by the applicant on the following

Comments by the EC: More information to be given by the applicant on the following

1. The species and genus of Rhizosphere that have to be collected
2. Exact Geographical Location of Collection.
3. Details of the exact crop varieties as indicated in the application
4. Full name of IIABT and the details of the person in-charge of IIABT
7. Name of the person authorized to take up the above project at TNAU.
8. Indicate methodology of collection
9. Mention with details of any Indigenous/Traditional knowledge involved.

The applicant must abide by the following conditions is available or not.

1. For collection they should collaborate with Kerala Agricultural University and KFRI
2. To obtain permission from the respective State Forest Department.
3. To restrict the number of samples

App. No. 2: NBA/9/123/A2/07/Tecl Appl: **Dr. S. S. Gnanamanickam**, Senior Scientist – R&D, Novozymes Biologicals Inc

Comments by the EC: More information to be given by the applicant on the following

1. The species and genus of Rhizosphere that have to be collected
2. Exact Geographical Location of Collection.
3. Details of the exact crop varieties as indicated in the application
4. Full name of IIABT and the details of the person in-charge of IIABT
7. Name of the person authorized to take up the above project at TNAU.
8. Indicate methodology of collection
9. Mention with details of any Indigenous/Traditional knowledge involved.

The applicant must abide by the following conditions

1. To obtain permission from the respective State Forest Department.
2. To restrict the number of samples.

App. No.3: NBA/9/124/07/Tecl Appl: **Prof. Utpal Raychaudhuri** / Dr. Runu Chakraborty, Mrs. Mahuya Bandyopadhyay Department of Food Technology & Biochemical Engineering, Jadavpur University, Kolkata – 700032, West Bengal.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following:

1. Whether the IPR is in the name of the University or it is in the name of the individuals involved in the research?

App. No.4: NBA/9/125/07/Tecl Appl: **Prof. Dr. Saroj Mandal**, Department of Civil Engineering, Jadavpur University, Kolkata – 700032, West Bengal.

Comments by the EC: Recommended for Approval. . More information to be given by the applicant on the following

1. Whether the IPR is in the name of the University or it is in the name of the individuals involved in the research?

App. No.5: NBA/9/126/A1/07/Tecl Appl: **Smt. Pawar Sujata Sunil**, B-1,202, Saket Complex,Thane – 400601, Maharashtra.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Precise details on the IPR since the information already provided are too vague.
2. To verify whether the *Ovis vignei vignei* is IUCN list.
3. Whether Indigenous Traditional Knowledge is involved
4. Exact Geographical Location to be specified.
5. To specify whether the applicant wants to develop the novel products or want to use the products already available.

App. No.6: NBA/9/126/A2/07/Tecl Appl: Smt. Pawar Sujata Sunil, B-1,202, Saket Complex,Thane – 400601, Maharashtra.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Precise details on the IPR since the information already provided are too vague.
2. To verify whether the *Ovis vignei vignei* is IUCN list.
3. Whether Indigenous Traditional Knowledge is involved
4. Exact Geographical Location to be specified.
5. To specify whether the applicant wants to develop the novel products or want to use the products already available.

App. No.7: NBA/9/126/A3/07/Tecl Appl: **Mrs. Wankhedkar Mahalaxmi Kamlakar**, C/8, Kadamgiri, opp. Baroda Bank, Kandivali (E), Mumbai – 400101, Maharashtra.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Whether Indigenous Traditional Knowledge is involved
2. Exact Geographical Location to be specified.

App. No.8: NBA/9/126/A4/07/Tecl Appl: **Serum Institute of India Ltd.**, 212/2, Hadapsar, Off. Soli Poonawala Road, Pune – 411 028, Maharashtra.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Exact Geographical Location of plant used for aqueous extract to be specified.

App. No.9: NBA/9/126/A5/07/Tecl Appl: **Serum Institute of India Ltd.**, 212/2, Hadapsar, Off. Soli Poonawala Road, Pune – 411 028, Maharashtra.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Exact Geographical Location plants used for aqueous extract to be specified.

App. No.10: NBA/9/126/A6/07/Tecl Appl: **Serum Institute of India Ltd.**, 212/2, Hadapsar, Off. Soli Poonawala Road, Pune – 411 028, Maharashtra.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Exact Geographical Location plants used for aqueous extract to be specified.

App. No.11: NBA/9/127/07/Tecl Appl: **Dr. Shailaja Pant, Principal** / Mr. Tejpal Dhewa, Faculty, Microbiology Dept., Dolphin(PG) Institute of Biomedical and Natural Sciences, Manduwala (near to Suddhowala Chakrata Road), Dehradun – 248007, Uttaranchal.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. More information about anaerobic fungi including genus and the number of samples to be collected.
2. What are the linkages between your institute and the foreign institute where the bioresources are going to be transferred?
3. Kindly inform your institute is registered or not? If registered kindly send information on this.
4. Details of the purpose for which the transfer of material is taking place.
5. Major functions of the collaborating institute and whether any MOU signed for the purpose of the transfer of bioresources.

App. No.12: NBA/9/128/07/Tecl Appl: **Mr.Ajay B. Barot**, A/13, Hira panna Society, opp. Hanuman Temple, Tarsadi, Kosamba, Surat district, Gujarat – 394120

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Whether Indigenous Traditional Knowledge is involved in the preparation of herbal medicine?

App. No.13: NBA/9/129/07/Tecl Appl: **Dr.P.M. Murali**, Dalmia Centre for Research & Development, 9/369, Siruvani Main Road, Kalampalayam, Coimbatore – 641010.

Comments by the EC: Recommended for Approval. More information regarding the geographical location of collection herbs mentioned in the application.

App. No.14: NBA/9/130/A1/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.15: NBA/9/130/A2/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.16: NBA/9/130/A3/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.17: NBA/9/130/A4/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.18: NBA/9/130/A5/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.19: NBA/9/130/A6/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.20: NBA/9/130/A7/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.21: NBA/9/130/A8/07/Tecl Appl: **Intellectual Property Management Division**, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.22: NBA/9/130/A9/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.23: NBA/9/130/A10/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.24: NBA/9/130/A11/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.25: NBA/9/130/A12/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.26: NBA/9/130/A13/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.27: NBA/9/130/A14/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.28: NBA/9/130/A15/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.29: NBA/9/130/A16/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.30: NBA/9/130/A17/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.31: NBA/9/130/A18/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.32: NBA/9/130/A19/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.33: NBA/9/130/A20/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.34: NBA/9/130/A21/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.35: NBA/9/130/A22/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.36: NBA/9/130/A23/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.37: NBA/9/130/A24/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.38: NBA/9/130/A25/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.39: NBA/9/130/A26/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.40: NBA/9/130/A27/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.41: NBA/9/130/A28/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.42: NBA/9/130/A29/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.43: NBA/9/130/A30/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.44: NBA/9/130/A31/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.45: NBA/9/130/A32/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.46: NBA/9/130/A33/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.47: NBA/9/130/A34/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.48: NBA/9/130/A35/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.49: NBA/9/130/A36/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.50: NBA/9/130/A37/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.51: NBA/9/130/A38/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.52: NBA/9/130/A39/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.53: NBA/9/130/A40/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.54: NBA/9/130/A41/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.55: NBA/9/130/A42/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.56: NBA/9/130/A43/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.57: NBA/9/130/A44/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.58: NBA/9/130/A45/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.59: NBA/9/130/A46/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.60: NBA/9/130/A47/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.61: NBA/9/130/A48/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.62: NBA/9/130/A49/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.63: NBA/9/130/A50/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.64: NBA/9/130/A51/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.65: NBA/9/130/A52/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.66: NBA/9/130/A53/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.67: NBA/9/130/A54/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App. No.68: NBA/9/131/07/Tecl Appl: Ms. Kalpana Bhupendra Katkar / Mr. Bhupendra Anant Katkar, M/S/ Herbo – Fresh Products, Shed no.56/C, Parpati Wada, Bandora, Ponda, Goa – 403401.

Comments by the EC: Recommended for Approval.

App. No.69: NBA/9/132/07/Tecl Appl: Mr.A.K.Joshi, Company Secretary, & GM – Legal, Emami Limited, 687, Anandapur E.M. Bypass, Kolkata – 700107

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Whether Indigenous Traditional Knowledge is involved, and
2. The geographical location of collection and name of the species of bioresources involved in the Hair-Care composition .

App.No.70: NBA/9/133/A1/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Geographical location of the species used in the preparation.

App.No.71: NBA/9/133/A2/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App.No.72: NBA/9/133/A3/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App.No.73: NBA/9/133/A4/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App.No.74: NBA/9/133/A5/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App.No.75: NBA/9/133/A6/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App.No.76: NBA/9/133/A7/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App.No.77: NBA/9/133/A8/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: Recommended for Approval.

App.No.78: NBA/9/133/A9/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.79: NBA/9/133/A10/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.80: NBA/9/133/A11/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.81: NBA/9/133/A12/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.82: NBA/9/133/A13/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.83: NBA/9/133/A14/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.84: NBA/9/133/A15/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.85: NBA/9/133/A16/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.86: NBA/9/133/A17/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.87: NBA/9/133/A18/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.88: NBA/9/133/A19/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.89: NBA/9/133/A20/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.90: NBA/9/133/A20/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.91: NBA/9/133/A21/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.92: NBA/9/133/A22/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.93: NBA/9/133/A23/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.94: NBA/9/133/A24/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.95: NBA/9/133/A25/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.96: NBA/9/133/A26/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.97: NBA/9/133/A27/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.98: NBA/9/133/A28/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.99: NBA/9/133/A29/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.100: NBA/9/133/A30/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.101: NBA/9/133/A31/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.102: NBA/9/133/A32/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.103: NBA/9/133/A33/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.104: NBA/9/133/A34/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.105: NBA/9/133/A35/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.106: NBA/9/133/A36/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.107: NBA/9/133/A37/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.108: NBA/9/133/A38/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.109: NBA/9/133/A39/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.110: NBA/9/133/A40/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.111: NBA/9/133/A41/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.112: NBA/9/133/A42/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.113: NBA/9/133/A43/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.114: NBA/9/133/A44/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.115: NBA/9/133/A45/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.116: NBA/9/133/A46/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.117: NBA/9/133/A47/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.117: NBA/9/133/A48/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.118: NBA/9/133/A49/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.119: NBA/9/133/A50/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.120: NBA/9/133/A51/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.121: NBA/9/133/A52/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.122: NBA/9/133/A53/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.123: NBA/9/133/A54/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.124: NBA/9/133/A55/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.125: NBA/9/133/A56/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.126: NBA/9/133/A57/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.127: NBA/9/133/A58/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.128: NBA/9/133/A59/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.129: NBA/9/133/A60/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.130: NBA/9/133/A61/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.131: NBA/9/133/A62/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.132: NBA/9/133/A63/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.133: NBA/9/133/A64/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.134: NBA/9/133/A65/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.135: NBA/9/133/A66/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.136: NBA/9/133/A67/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.137: NBA/9/133/A68/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.138: NBA/9/133/A69/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.139: NBA/9/133/A70/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.140: NBA/9/133/A71/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.141: NBA/9/133/A72/07/Tecl Appl: Intellectual Property Management Division, M/S. Council of Scientific and Industrial Research, 3rd Floor, NISCAIR Building, 14, Satsang Vihar Marg, Special Institutional Area, New Delhi – 110 067

Comments by the EC: **Recommended for Approval.**

App.No.142: NBA/9/134/A1/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar

Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Exact Geographical Location of the herbal composition.

App.No.143: NBA/9/134/A2/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Exact Geographical Location of the herbal composition.

App.No.144: NBA/9/134/A3/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Exact Geographical Location of the occurrence of the species used in Herbal shampoo.
2. Whether Indigenous Traditional Knowledge is involved

App.No.145: NBA/9/134/A4/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of occurrence of the species/bioresources used Collection.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.146: NBA/9/134/A5/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the species/bioresources used Collection.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.147: NBA/9/134/A6/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar

Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the species/bioresources used Collection.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.148: NBA/9/134/A7/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the species/bioresources used Collection.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.149: NBA/9/134/A8/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the species/bioresources used.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.150: NBA/9/134/A9/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the species/bioresources used.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.151: NBA/9/134/A10/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the occurrence of the species/bioresources used.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.152: NBA/9/134/A11/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar

Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the occurrence of the species/bioresources used.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.153: NBA/9/134/A12/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, ABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Exact Geographical Location of the occurrence of the species/bioresources used.
2. Whether Indigenous Traditional Knowledge is involved.

App.No.154: NBA/9/135/A4/07/Tecl Appl: Ms. Vaishali Vasant Potnis, H – 14, Yasomangal Apartments, Pimpri Chinchwad Link Road, Near Chinchwad Pumping Station, Chinchwad – 411033, Maharashtra.

Comments by the EC: Recommended for Approval. More information to be given by the applicant on the following

1. Whether Indigenous Traditional Knowledge is involved.
2. Geographical location of the occurrence of the species/bioresources used.

App.No.155: NBA/9/136/A1/07/Tecl Appl: Shri. Girish Prasad Choudhary, Kalyani Chemicals, Gandhi Nagar, Kahalgaon – 813203, Bihar. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, LABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: Recommended for Approval. However, more information to be given by the applicant on the following

1. Whether Indigenous Traditional Knowledge is involved.
2. Geographical location of the occurrence of the species/bioresources used.

App.No.156: NBA/9/136/A2/07/Tecl Appl: Shri. Neamatullah Sarkar, Thulinakode village, Dangram P.O., Hariampur P.S., South Dinajpur District, West Bengal – 733125. (Applicant's Attorney Dr.Amar Jyoti Basu, Advocate, LABANYA, Flat – 2B, 130/1, Brahma Samaj Road, Kolkata – 700 034).

Comments by the EC: More information to be given by the applicant on the following

1. Whether Indigenous Traditional Knowledge is involved.
2. Geographical location of the occurrence of the species/bioresources used.

App.No.157: NBA/9/137/07/Tecl Appl: Mr. Abdul Mueed, 1-A, Sandal Street, Kolkata – 700016.

Comments by the EC: More information to be given by the applicant on the following:

1. Exact Geographical location of the occurrence of the species/bioresources used.

App.No.158: NBA/9/85/06/Tecl Appl: Shri.Alka Ahuja, Under Secretary, DARE, New Delhi - Export of Arjun Wheat Cultivar to Czech Republic

Comments by the EC: Recommended for Approval. ICAR to confirm whether the Third Party Transfer is under the Collaborative Research Project.

App.No.159: NBA/9/85/06/Tecl Appl: Shri.Alka Ahuja, Under Secretary, DARE, New Delhi. - Export of Rice Seed Material for inclusion in INGER nursery to IRRI, Manila, Philippines

Comments by the EC: Recommended for Approval. ICAR to confirm whether the Third Party Transfer is under the Collaborative Research Project.

App.No.160: NBA/9/85/06/Tecl Appl: Shri.Alka Ahuja, Under Secretary, DARE, New Delhi - Export of Rice Seed Material of *Brassica napus* and *B juncea* to Australia under ACIAR – ICAR collaborative project.

Comments by the EC: Recommended for Approval. ICAR to confirm whether the Third Party Transfer is under the Collaborative Research Project.

App.No.161: NBA/9/85/06/Tecl Appl: Shri.Alka Ahuja, Under Secretary, DARE, New Delhi - Export of Seed Material and 10 liters of oil of *Jatropha curca* to Institute of Agricultural Research, Panama for research purpose.

Comments by the EC: Recommended for Approval. ICAR to confirm whether the Third Party Transfer is under the Collaborative Research Project.

The Authority took note of the minutes and recommendations of the Expert Committee meeting conducted on the Evaluation of the applications held on 13. 08. 2007 and approved the recommendations for further necessary action by NBA.

ACTION: SECRETARY

**Agenda 6: Minutes of the Meeting on Expert Committee for
Determination of Benefit Sharing on 14.08.2007**

The Secretary informed that the applications approved by the Authority were placed before the Expert Committee for Determination of Benefit Sharing and Benefit Sharing decided which was intimated to the applicants. The applicants have made representations concerning the Benefit Sharing to NBA.

The following are the comments on the applications are placed again before the Expert Committee for their comments.

1. Nandan Biomatrix Limited, Hyderabad is engaged in R & D of Medicinal Plants, cultivating Medicinal Plants especially Safed Musli. Nandan Biomatrix has a State of the art Resource Centre at Zaheerabad, Medak Andhra Pradesh. ICRISAT has also partnered with the company in R&D. Nandan Biomatrix has informed that the company does not use any natural resources collected from the wild and hence Nandan Biomatrix requested that they may be exempted from sharing any benefits through their R&D program. They have also written to NBA that a one time payment of Rs.10,000/- may be accepted by NBA as a goodwill gesture for the Biodiversity Fund and grant the patent to Nandan Biomatrix by executing necessary agreements. They have also prepared and submitted a draft agreement in this regard.

Earlier Nandan Biomatrix had applied in Form III dt.22-05-2006 which was placed before the Expert Committee to evaluate the Access, Patent, Transfer of Research Results and Material Transfer Applications” meeting held on 03-10-2006. Clarifications were sought on certain details of IPR. The above application was placed before the 8th Authority Meeting which approved the IPR. The Expert Committee for Determination of Benefit Sharing fixed the Royalty Fees. A provisional approval letter was sent to the applicant along with a draft agreement copy to the applicant.

Comments of the EC: The Expert Committee opined that no exemption whatsoever be granted to Nandan Biomatrix Limited. The EC also did not accept the Nandan Biomatrix Limited’s proposal of One time payment of Rs.10, 000/- to NBA. Nandan Biomatrix Limited should be advised to sign the Agreement (Benefit Sharing incorporated) as per the minutes of the Expert Committee on Benefit Sharing.

The Authority after careful examination of the comments of the Expert Committee approved the comments made by the Expert Committee for further necessary action by NBA.

ACTION: SECRETARY

2. Mr. Mohan Dewan, R.K.Dewan & Co., (Patent Attorney law firm representing the Applicant Dr. Pawan Pankaj Lalsing) submitted that he has placed on behalf of his client a request before the Authority on the 5% royalty for Benefit Sharing and he has raised certain issues pertaining to Patents in regard to Biological Diversity Act, 2002. On the issue of 5% royalty, Mr. Mohan Dewan has quoted Section 6 (2) of the Biological Diversity Act, 2002 which says that “The National Biodiversity Authority **may**, while granting the approval

under this section, impose benefit sharing fee or royalty or impose conditions including the sharing fee or royalty or both or impose conditions including the sharing of financial benefits arising out of the commercial utilization of such rights”.

Comments of the EC: The Expert Committee opined that 5% of the Royalty if the Patent is licensed to others or 5% of the net sales of the company in the event of commercial production by the company as decided earlier may be intimated to the applicant.

The Authority after careful examination of the comments of the Expert Committee approved the comments made by the Expert Committee for further necessary action by NBA. Also the authority approved the legal opinion provided by the Asst. Solicitor General of India to NBA and the NBA has every discretion to impose restriction/condition which cannot be questioned.

ACTION: SECRETARY

3. Material Breach

In the original agreement prepared by the NBA, the Expert Committee has recommended to include that “the researcher undertakes to pay a sum of **Rs.10 Lakhs** (Ten Lakhs rupees) for any material breach of this Agreement and further undertakes to pay such sum of **Rs. 10 Lakhs** (Ten Lakhs rupees) in addition to the amount as determined by NBA as the loss incurred by the Republic of India or the stake holders involved.

The Authority after careful examination approved the comments as “the researcher undertakes to pay a sum of Rs. 10 Lakhs (Ten Lakhs rupees) for any material breach of this Agreement and further undertakes to pay any such amount as determined by NBA for the loss incurred by the Republic of India, the stake holders involved and such other damages to the biological resources of Republic of Inida” to be incorporated in the agreement.

ACTION: SECRETARY

4. Advertisement in News paper for Chambers of Commerce

The Expert Committee recommends that an advertisement be made on benefit sharing process by the various types of industries of India.

The Authority after examination approved the agenda for advertisement.

ACTION: SECRETARY

5. Application fees for IPR from Rs. 500 to Rs.5000

The Expert Committee recommends that the application fees for Form III (IPR) may be increased form Rs.500/ (five hundred rupees only) to Rs. 5000/ (Five thousand rupees only) by the Authority.

The Authority after careful examination of the agenda, approved the recommendation of the Expert Committee to increase the application fee for Form III from Rs 500/= to Rs 5,000/= (Rs Five thousand only).

ACTION: SECRETARY**6. Relieving of Prof. L.S. Ganeshan from the EC on Benefit Sharing Committee and add two more new members.**

The Expert Committee has recommended that since Prof. L.S. Ganeshan has not confirmed his attendance to the committee's meeting, his name may be replaced by including two more new members in the Expert Committee.

The Authority after examination of the agenda, approved the relieving of Prof L. S. Ganeshan

ACTION: SECRETARY

7. The Committee observed that the serial no. 51 with the reference NBA/9/127/07/TECH/APPL/9-05-2007 does not require benefit sharing process because the application is for Third party transfer of bioresources.

Discussion on the Summary of Applications Received as on 14-08-2007 and

The discussions by the Expert Committee on various issues with regard to Benefit Sharing and their views have been put forth with:

The Secretary, NBA placed the outcome of the Expert Committee meeting on Benefit sharing on 14.08.2007 and recommended benefit sharing formula on 199 applications.

The Authority, after careful examination of the recommendations of the Expert committee, approved the recommendations for necessary action by NBA.

ACTION: SECRETARY

Agenda 7: DRAFT "Guidelines for Transfer of Research Results involving Indian biological resources to non-Indians individuals, companies, universities, trusts, institutions or any other form of organization including government sponsored/funded institutions from India for further research or commercial utilization on having potential commercial utility".

The Secretary, NBA informed that members that the Expert Committee on Transfer of Research Results met twice under the Chairmanship of Dr S. K. Sharma, Director NBPGR, New Delhi with 19 members (First meeting on 13.06.2007, Second and final meeting on 03.10.2007) and finalized the preparation of the draft notification.

The Authority, after careful examination of the recommendations of the Expert committee, approved the draft notification for further necessary action by NBA.

ACTION: SECRETARY

**Agenda 8: Minutes of the Meeting on
Expert Committee Meeting on Normally Traded Commodities on
10.10.2007**

MINUTES OF THE MEETING

The Secretary NBA placed the out come of the Meeting of the Expert Committee on Normally Traded Commodities held on 10th October, 2007 under the Chairmanship of Dr. J. P. Mishra. He also informed that the decision of the Expert Committee, to initially notify the major bioresources recommended by the Indian Institute of Spices Research, Spices Board, STCL Ltd., Tobacco Board, Directorate of Cashew Nut and Cocoa Development , Cochin, Cofee and Rubber Board, as well as list of Medicinal Plants used in the All India Trade by the Export Potential of Indian Medicinal Plants and Products, Occasional Paper No: 98 Export –Import Bank of India, World Trade Centre Complex, Mumbai-400005 as items of normally traded commodities in the Official Gazette after consulting with the Commerce Ministry and Central Government.

The Authority, after careful examination of the recommendations of the Expert committee, approved the list with suggestion to consult the Commerce Ministry for further necessary action.

ACTION: SECRETARY

**Agenda 9: Extension of Deputation of Administrative
Officer from 10.8.2007-9.08.2008**

The Authority, after careful examination recommended the extension of Mr. R. Narayanan, Administrative Officer, NBA for a futher period of one year ending 09.08.2008 (AN) and the selection process to be completed early by NBA.

ACTION: SECRETARY

Agenda 10: Expert Committee on Medicinal Plants

The Authority, after careful examination of the Terms of reference of the Expert committee, and the list of Committee members and Chairman, approved the establishment of such committee with addition of members such as Dr. R. Kumar TNAU, Coimbatore, Mr. Yadhav, Member Secretary, SBB, Gujarat, Representatives of Ayurvedic Insutries, Medicinal Plant Bureau in Consulation with Dr B.S. Sajwan, CEO,NMPB, New Delhi.

ACTION: SECRETARY

Agenda 11: Expert Committee on Soil and Microbial Diversity

The Authority, after careful examination of the Terms of reference of the Expert committee, and the list of Committee members and Chairman, approved the establishment of such committee with a suggestion to add “Sediment” in the title of the Expert Committee and an Expert Consultant may be appointed.

ACTION: SECRETARY

Agenda 12: Expert Committee on IPR

The Authority, after careful examination of the Terms of reference of the Expert committee, and the list of Committee members and Chairman, approved the establishment of such committee with a suggestion to add Director, FRLHT, Bangalore; Dr V K Gupta, Director, TKDL, NISCAIR, CSIR, New Delhi and an Expert Consultant may be appointed

ACTION: SECRETARY

Agenda 13: Expert Committee on Biotechnology and Biosafety

The Authority, after careful examination of the Terms of reference of the Expert committee, and the list of Committee members and Chairman, approved the establishment of such committee and an Expert Consultant may be appointed.

ACTION: SECRETARY

Agenda 14: Expert Committee on Traditional and Tribal Knowledge

The Authority, after careful examination of the Terms of reference of the Expert committee, and the list of Committee members and Chairman, approved the establishment of such committee with a suggestion to add Civil Society from North Eastern India, Director, FRLHT, Bangalore and an Expert Consultant may be appointed.

ACTION: SECRETARY

Agenda 15: Approval of MOU between GBIF and India

The Secretary, NBA informed the members that Memorandum of Understanding for Global Biodiversity Information Facility is to be signed by India to become member of GBIF. This has been taken up by the NBRI, CSIR, Lucknow.

The Authority, after careful examination of the recommendations of the Expert committee, approved signing of MOU by NBRI with the following conditions.

1. This approval issued by NBA is meant only for India to become Member of GBIF.
2. This approval is not legally binding and will not over rule any other law existing in India.
3. This approval is not exhaustive. If any other statutory permission is required, shall be taken from the concerned department/organization.
4. This approval will not permit for access of any bioresources or any other traditional knowledge associated.

ACTION: SECRETARY

Agenda 16: Minutes of the Meeting held between Ayurvedic Drug Manufacturers Association (ADMA) and National Biodiversity Authority

The Secretary, NBA placed Minutes of the Meeting of the Representatives of Ayurvedic Drug Manufacturers Association (ADMA) held on 22nd October 2007.

The Authority, after careful examination of the minutes of the meeting suggested that the issues raised by the ADMA may be discussed in the Expert Committee on Medicinal Plants established in the 10th Authority meeting.

ACTION: SECRETARY

Agenda 17: Approval of application by Pepsico

The Secretary, NBA informed that PEPSICO the applicant in their earlier application (Form IV) requested for Third Party Transfer on bioresource to Malaysia. After the final approval was issued by NBA the applicant asked for a change of destination of the bioresource ie. Indonesia and Philippines.

The Authority, after careful examination of the request by PEPSICO, informed that the applicant PEPSICO should apply afresh in FORM IV and Chairman, NBA may approve once the application is received as *ex post - facto*.

ACTION: SECRETARY

Agenda 18: Meeting on Genetically Modified Organisms at NBA

The Secretary, NBA informed the members that a meeting has been organised on 22.10.2007 between Centre for Sustainable Agriculture, Green Peace India and NBA. The minutes of the meeting is placed before the Authority

The Authority, after examination of the minutes of the meeting suggested that the issue raised by the Centre for Sustainable Agriculture, Green Peace India may be discussed in the Expert Committee on Biotechnology and Biosafety established in the 10th Authority meeting.

ACTION: SECRETARY

Agenda 19: Access applications submitted for approval (Appendix 2 Page No:246)

The Secretary, NBA informed the members that there are seven applications has been received by NBA for access, Collaborative Research and thirdparty transfer of resources during the period between the Expert Committee Meeting and the Authority Meeting for approval.

The Authority, after examination of the applications suggested bringing the matter after evaluation by the Expert Committee for further necessary action.

ACTION: SECRETARY

Agenda 20: Delegation of Powers to Union Territory (Puducherry)

The Secretary, NBA informed that members that NBA received a letter from Dr. P. DEVARAJ, IFS, Conservator of Forests in connection with the delegation of Powers to Puducherry Union Territory

The Authority, after careful examination approved the delegation of power to Puducherry Biodiversity Council and Monitoring Committee, Puducherry.

ACTION: SECRETARY

Agenda 21: Any other item with the permission of the Chairman

1. ADDITIONAL AGENDA BY DR S. SUBRAMANIYAN NON OFFICIAL MEMBER

1. Promotion of Effective Functioning and Participation of the State Level Bodies of NBA in carrying out the mandates of NBA.

The Authority, after careful examination of the agenda suggested that once the EFC proposed by NBA is approved the strengthening and effective Functioning and Participation of the State Level Bodies of NBA in carrying out the mandates of NBA.

ACTION: SECRETARY

2. Enhancement of Honorarium to each Member of NBA from the present amount of Rs. 500 to 3000 per day on par with the Honorarium provided to each Member of the Expert Committees on EIA under the same MoEF

The Authority, after careful examination approved Rs 1000/= as sitting fee from immediate effect (10th Authority on wards).

ACTION: SECRETARY

3. PEOPLE'S BIODIVERSITY REGISTER DRAFT FOR DISCUSSION IN THE 10th AUTHORITY MEETING

The Authority, after careful examination of the recommendations of the Expert committee, approved the draft model for further necessary action.

ACTION: SECRETARY

4. Annual Report 2005-2006

The Secretary, NBA informed that the translation of the Annual accounts of the NBA received from the Principal Director of Audit is translated in Hindi and

copies are to be pasted in the Annual Report 2005-06 are already printed and sent to Dr Rai, Addl. Director, MoEF.

It was decided that NBA will bear the charges for pasting the Hindi translation of the Audit Report of Annual Accounts of the NBA for the year 2005-2006 and copies of the English version in the Annual Report.

ACTION: DR R.K. Rai, Addl. Director, MOEF, New Delhi

5. Attendance of Members of the Authority

For regular attendance of Official and Non Members of the Authority for the Authority meetings, the Chairman, NBA may write to the Secretary, Ministry of Environment and Forest to write to all concerned Secretaries of the Ministries.

ACTION: CHAIRMAN, NBA, Chennai

6. Audio-video and Media Popularisation of the Biodiversity Act, 2002

For the purpose of creating awareness among public and other stake holders of biodiversity, NBA may take up publishing of documentary films in different languages. For this purpose the Administrative Ministry recommended the increase the budget provision to the tune of one crore for the above purpose.

ACTION: Dr R. K. RAI MOEF, NEW DELHI

Appendix 1: Attendance of Members Present

OFFICIAL MEMBERS PRESENT

Shri G. Balachandhran

Joint Secretary,
Ministry of Environment and Forests
Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi 110003

Shri Rajeev Kumar Jain,

Director (IC)
Deptt. of Agricultural Research and Education, Ministry of Agriculture,
Krishi Bhavan, Dr. Rajendra Prasad Road, New Delhi – 110001.

Dr B. R. Subramaniam,

Advisor and Project Director, Department of Ocean Development,
NIOT campus; Pallikaranai, Chennai 601 302.

Shri B S Sajwan

Chief Executive Officer,
National Medicinal Plants Board
Dept of AYUSH,
Chandralok Building, 36 Janpath, New Delhi 110 001

Dr R. K. Rai (MoEF Observer)

Addl. Director,
Ministry of Environment and Forests
Pariyavaran Bhavan, Lodi Road, New Delhi 110 003

LEAVE OF ABSENCE GRANTED TO OFFICIAL MEMBERS

Dr. S. Natesh

Advisor, Department of Biotechnology
CGO Complex, Block No. 2, Lodhi Road, New Delhi 110003

Dr J. P. Mishra

Asst. Dir. General (CSC & ES&M)
Room No 212,
Indian Council of Agriculture, Krishi Bhavan, New Delhi – 110001.

Shri A. K. Upadhyay

Additional Secretary to Government of India,
Ministry of Agriculture, Deptt. of Agricultural Research and Education,
Krishi Bhavan, Dr. Rajendra Prasad Road, New Delhi – 110001.

Addl Director General of Forests (Wildlife)

Ministry of Environment and Forests
Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi 110003

Shri Sanjeev Nair

Director, Department of Science and Technology,
Technology Bhavan; New Mehrauli Road, New Delhi 110 016

Shri Bachittar Singh

Joint Secretary, Ministry of Tribal Affairs
Shastri Bhavan, Dr. Rajendra Prasad Road, New Delhi-110001.

Shri Nikhilesh Jha,

Joint Secretary, Department of Scientific and Industrial Research
Ministry of Science and Technology,
Technology Bhavan, New Mehrauli Road, New Delhi – 110001.

NON-OFFICIAL MEMBERS PRESENT

Dr. S. Subramaniyan,

54 VGP – Golden Sea View, Part II, 2nd Main Road,
5 Cross Street, Palavakkam, Chennai – 600041.

Prof. K. Kathiresan,

Centre for Advanced Study in Marine Biology,
Annamalai University, Parangipettai – 608502.

LEAVE OF ABSENCE GRANTED TO NON OFFICIAL MEMBERS

Prof. Raghavendra Gadagkar,

Centre for Ecological Sciences, Indian Institute of Science,
Bangalore 560 012.

Prof. Anil Gupta,

Indian Institute of Management,
Ahmedabad 380 015

Dr A. K. Ghosh,

Director, Centre for Environment and Development,
329, Jodhpur Park, Kolkata -700 068.