



जस्यै हे लडियाली ।  
कस्यै हे खुशहाली ॥

# NATIONAL BIODIVERSITY AUTHORITY



DRAFT Proceedings of the 19<sup>th</sup> Authority Meeting

04<sup>th</sup> May, 2011

## Venue

**Council of Scientific and Industrial Research,**  
Human Resource Development Centre  
Kamla Nehru Nagar, Central Govt. Enclave  
Ghaziabad, UP



# Proceedings of the 19<sup>th</sup> Meeting of the National Biodiversity Authority

Date: 04 May, 2011

**Venue:** Human Resource Development Centre,  
Council of Scientific and Industrial Research, Ghaziabad, U.P.

Nineteenth meeting of the National Biodiversity Authority (NBA) was held on 04<sup>th</sup> May, 2011 in the HRD Centre, CSIR, Ghaziabad, UP under the Chairmanship of Shri M.F.Farooqui, IAS., Chairman, NBA to consider the agenda items circulated earlier by email on 9<sup>th</sup> April, 2011 as well as by speed post. The list of participants is given in Annex-I.

At the outset, the Chairman welcomed the Members of National Biodiversity Authority and the invitees to the meeting. Also, he thanked Dr.Naresh Kumar, Head, Human Resource Development Centre, CSIR for all the facilities provided to hold the meeting at the CSIR premises. First, as decided in the 18<sup>th</sup> Authority meeting, Dr.Naresh Kumar has arranged three invited lectures with respect to procedure of collecting/acquiring information about patents which are being filed/granted in other countries on biological resources and TK obtained from India illegally. Dr.R.R. Hirwani, Senior Advisor and Head, Unit of Research and Development in Information Products (URDIP), CSIR, Pune gave a presentation on the database created on biological resources vis-a-vis IPRs granted and explained about Patinformatics, Phytoinformatics, Chemoinformatics and Toxinformatics. The second presentation was made by Dr.Uma Parameswaran, CEO, SciTech Patent Art Services Pvt. Ltd, Hyderabad in which she highlighted the Global trends in patents and procedures adopted in different International patent offices for scrutinizing the patents, statistics of different sectors applying patents, etc. Finally, Dr.V.K.Gupta, Director, TKDL made a presentation about how TKDL database helps to prevent the misappropriation of India's Traditional Knowledge on biological resources at International Patent Offices. Further, he informed that India has also set up a global bio-piracy watch system under TKDL in respect of patent applications related to Indian System of Medicines.

On being heard, members had discussed the issue at length. Further, it was decided that the NBA may lay down terms and conditions to engage the CSIR unit for monitoring the patent granting outside India on the biological resources and TK obtained from India illegally. In this regard, NBA was requested to obtain a formal proposal from Dr.Hirwanai, CSIR.

Thereafter, the agenda items were considered and discussed as under:-

#### **Agenda 19.1: Confirmation of Proceedings of the 18<sup>th</sup> Meeting of Authority**

It was informed that the comments as received from different members were suitably incorporated and have been circulated. The authority confirmed the proceedings of the 18<sup>th</sup> Authority meeting.

#### **Agenda 19.2: Action taken report**

Action has been taken in respect of most of the items of the 18th Authority meeting and action is yet to be completed in respect of a few items. Further, it was decided as follows:-

1. The actionable points may be culled out from the concept note provided by the Members with respect to the priority areas to be focused by the NBA in future. The same may be placed in the next meeting.
2. The interim report of Nagoya protocol may be discussed in the next meeting.
3. The Secretary, NBA has promised that the interim report of National Productivity Council on devising the promotion policy and suggesting creation of additional posts to NBA will be submitted in the next meeting.
4. With respect to agenda item 18.3 (All India coordinated project on Biodiversity), Dr.Sujata Arora was requested to pursue with the concerned divisions in the Ministry to get a note on the project.
5. Under Agenda item 18.5, it was decided that the NBA may write letters to all Ministries stating that while approving international collaborative research projects, a rider may be added by reproducing para 5 of collaborative research

guidelines dt. 8<sup>th</sup> Nov 2006 i.e., “In case the results of research from this project subsequently prove likely to lead to any intellectual property rights, the collaborating partners shall enter into a fresh agreement with NBA to ensure sharing of benefits in accordance with provisions of Section 6 of the Act prior to filing of the application for IPR(s).

Action: Secretary, NBA

**Agenda 19.3: Consideration of the proceedings of the 14<sup>th</sup> Meeting of Exp. Comm. on ABS held on Jan 12, 2011**

In the 18<sup>th</sup> Authority meeting, most of the applications were taken up for consideration and decided. A few applications (428, 429, 295, 296, 381, 138, 231-250 and 257-275) were deferred as it required detailed discussion and they were considered and commented upon as under:-

Sl. no.	Appl. no.	Decision taken
1	428	Approved
2	429	Approved
3	295	May be re-examined by the EC
4	296	May be re-examined by the EC
5	381	May be re-examined by the EC
6	138	Approved
7	231-250, 257-275	Approved

Further, it was decided that while submitting the fact sheet with EC’s recommendation before the Authority for decision, the secretariat of NBA may update the remarks column for gaining better understanding by the Members.

Action: Secretary, NBA

**Agenda 19.4: Consideration of agenda item on “seeking fund to NBA, threat assessment and species recovery plans” submitted by Dr.Darshan Shankar, Member, NBA**

Dr.Darshan Shankar, Member emphasized that the NBA may focus on the assessment of threatened taxa and ecosystem which need special attention. Therefore, it was decided that NBA to sponsor a “National Consultation” that may be organized in collaboration with a suitable organisation, to address the issue appropriately and come out with the list of taxa, habitat and ecosystems which need

such attention. The outcome of the workshop may provide a way to develop the proposal on threat assessment. The budget line may also be proposed in the 12<sup>th</sup> Five year plan for the said purpose. It was also suggested that this task may be assigned to a NGO such as ATREE, CES of Indian Institute of Science, FRLHT etc. Further, the NBA was requested to send a proposal within three (3) months to MoEF for seeking financial support to hold the workshop.

Action: Secretary, NBA

**Agenda 19.5: Consideration of agenda item on “strategy for accelerating PBRs in the country” submitted by Dr. Darshan Shankar, Member, NBA**

Chairman appreciated the efforts of Dr.D.Shankar on this item regarding accelerating the process of preparation of PBRs in the country. It was discussed and decided as follows:-

- A. SBBs may document PBR preferably at Block level.
- B. A model PBR may be developed in each state to suit its requirement based on model PBR developed by NBA.
- C. Four regional workshops and a National workshop with SBBs and NGOs, State Forest Department, Academicians may be conducted for gaining better understanding of the issues.
- D. NBA may send a proposal to MoEF within 3 (three) months for seeking financial support to hold the aforementioned workshop.

Action: Secretary, NBA

**Agenda 19.6: Consideration of agenda item on format for budget and annual report of SBBs submitted by Dr. Darshan Shankar, Member, NBA**

Members appreciated the efforts of Dr.Darshan Shankar on this item. It was suggested that SBBs may uniformly draw budget line from their Government for effective discharge of functions under the BD Act and rules made thereunder by the States. Further Dr. Shankar suggested that the given proposal may be placed as an agenda item in the next SBBs meet. The Secretary NBA suggested to Authority to add one more item i.e., - Enforcement, Legal cases, protection measures and action against offenders.

Action: Secretary, NBA

**Agenda 19.7: Review of the decision taken in the 16<sup>th</sup> Authority on “Public comments on access applications”**

Members reviewed the matter and decided that this item may be placed in the next meeting for further discussion.

Action: Secretary, NBA

**Agenda 19.8: Consider and approve the model guidelines for selection and management of the Biodiversity Heritage Sites (BHS)**

Members appreciated the efforts of the expert committee to bring out the model guidelines on selection and management of the Biodiversity Heritage Sites (BHS) and the same was approved.

Action: Secretary, NBA

**Agenda 19.9: Consider the action to be taken by NBA and SBBs on violators of the provisions of the BD Act 2002**

A background note on Bt brinjal in respect of alleged violation by the M/s. Mansanto Pvt Ltd., and their collaborators for accessing and using the local brinjal varieties for development of Bt brinjal without prior approval of the competent authorities was discussed and decided that NBA may obtain more information/documents pertaining to Bt brinjal especially the copies of applications made to the GEAC, MoEF for further course of action as deemed fit. Another background note on reported export of embryos of Gir breed of cattle and Ongole breed bull and semen to Brazil were discussed and decided that the additional information may be obtained through the Gujarat and Andhra SBB and place the same in the next meeting for examination and discussion.

Action: Secretary, NBA

**Agenda 19.10: For information and ratification**

The item 19.10 (a) & (b) have been noted/ratified by the Authority.

**19.11. Any other item (s) with the permission of Chairman:-**

**19.11.1: To consider and approve the permanent absorption of Smt.G.S. Sheeba as Steno Grade C in NBA**

The proposal for absorption of Smt.G.S.Sheeba as Steno Grade C in NBA was acceded to.

Action: Secretary, NBA

As decided in the 18<sup>th</sup> Authority meeting under item 18.3, Shri C.A.Reddy, Secretary, NBA made a presentation on the implementation of BD Act. He highlighted the steps taken for conservation of biodiversity in India through implementation of the provisions of the BD Act and elucidated the activities of NBA since its inception. He mentioned that 26 out of 28 States have formed SBB in the State, and about 419 PBRs have been documented so far. He said that NBA has cleared 360 access applications and realized a sum of Rs.41.00 lakhs as royalty (benefit sharing) from the applicants who entered in to mutually agreed terms. He emphasized that the NBA has received Rs.3520/- as a first instalments towards instalment towards benefit sharing from Pune based Ayurvedic Doctor Dr.Geeta Pandurang Pawar for the commercialization of IPR. Further, he listed out the critical areas where attention is to be focused by the NBA in future.

Members appreciated the efforts of NBA in implementing the Act and suggested that the time line may be given to critical areas specified, on priority basis and place the same in the next meeting.

Action: Secretary, NBA

It was decided that the next meeting of the authority will be held on 20<sup>th</sup> June 2011 at Delhi.

The meeting ended with the vote of thanks to and from the Chair.

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**OFFICIAL MEMBERS**

1. Shri M.F.Farooqui, I.A.S.,  
Chairman, NBA
2. Shri Hem Pande, I.A.S.,  
Joint Secretary,  
Ministry of Environment and Forests, Paryavaran Bhavan,  
CGO Complex, Lodhi Road, New Delhi - 110003.
3. Dr. Naresh Kumar,  
Scientist 'H' and Head, Human Resource Development Centre, Sector 19,  
Central Govt. Enclave, Kamla Nehru Nagar, Ghaziabad-201 002(UP)
4. Shri P. Madeswaran,  
Director, Ministry of Earth Science, Block -12, CGO Complex,  
Lodhi Road, New Delhi - 110003.
5. Dr. Bala Prasad, I.F.S.,  
Chief Executive Officer,  
National Medicinal Plants Board, Dept. of AYUSH, New Delhi 110 001
6. Shri A. K. Srivastava,  
Director, Ministry of Tribal Affairs, Shastri Bhavan, New Delhi

**NON OFFICIAL MEMBERS**

1. Dr. Darshan Shankar,  
Advisor, FRLHT, Chairman, Institute of Ayurveda and Integrative Medicine (IAIM)  
74/2, Jarakabande Kaval, Post Attur, Via Yelahanka, Bangalore - 560 064.
2. Dr.R.S.Rana  
Chairman, Bio-Link,  
D-43, Indraprastha Apartments, Sector 14, rohini, New Delhi-110 025.
3. Dr. S. Subramaniyan  
54, VGP, Golden Sea View,  
Part-II, 2nd Main Road, 5th Cross Street, Palavakkam, Chennai-600 041.
4. Dr. Uppeandra Dhar,  
11, SBI Apartments, Near Eicher School, Sector 46, Faridabad-121 002, Haryana.

**Secretary, NBA**

1. Shri C. Achalender Reddy, I.F.S.,

### **INVITEES**

1. Dr.Sujata Arora,  
Director, Ministry of Environment and Forests, Paryavaran Bhavan,  
CGO Complex, Lodhi Road, New Delhi - 110003.
2. Dr.V.K.Gupta,  
Director, TKDL, CSIR,  
Ghaziabad
3. Dr. R. Hirwani,  
Head, R&D Unit, Pune
4. Dr. Uma Paramesaran,  
CEO, SciTech, Hyderabad

### **LEAVE OF ABSENCE GRANTED TO OFFICIAL MEMBERS**

1. Shri Arun K Bansal,  
Addl. Director General of Forests (FC),  
Ministry of Environment & Forests,  
Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi - 110003.
2. Dr. B. Harigopal,  
Adviser, Dept. of Science & Technology,  
Technology Bhavan, New Mehrauli Road, New Delhi.
3. Shri Pankaj Kumar,  
Joint Secretary (Plant Protection),  
Dept. of Agri. and Cooperation, Krishi Bhavan, New Delhi.
4. Dr. Renu Swarup,  
Advisor, Department of Biotechnology, CGO Complex, Block No. 2  
Lodhi Road, New Delhi - 110 003.
5. Dr. Swapan Kumar Dutta,  
Deputy Director General, ICAR, Division of Crop Science,  
Krishi Bhavan, New Delhi 110 114.

### **LEAVE OF ABSENCE GRANTED TO NON OFFICIAL MEMBERS**

1. Dr. K.M. Bujarbaruah,  
Vice-Chancellor,  
Assam Agriculture University, Jorhat-785013.