

**MINUTES OF THE MEETING OF THE
NATIONAL BIODIVERSITY AUTHORITY
25.11.2003**

DATE : 25.11.2003

TIME : 11 h - 14 h

VENUE: Conference Hall of National Environment Appellate Authority, New Delhi.

ATTENDANCE:

CHAIRMAN: Shri Viswanath Ananth

SECRETARY: Dr. K. Venkataraman

Members:

Invited persons:

Nominees attended the meeting

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| 1. Shri S. Chatterje, J.S. Ministry of tribal Welfare | Dr R M Dubey, Director |
| 2. Addl. Dir. Genl. Forests, MOEF | Shir Vinod Rish Adl DG |
| 3. Joint secretary, CS, Ministry of Environment & Forests | R.K. Rai, Addl. Dir. |
| 4. Smt. Shashi Misra, Addl. Sec. Min of Agri, Agri. Edu. | <u>Not attended</u> |
| 5. Shri U.N. Bhara, JS, Dept. of Biotech. | Dr S Natesh, Advisor |
| 6. Dr SP Seth JS D.O.D | <u>Not attended</u> |
| 7. Shri Satish Chandra, JS, Dept. Agri Coop. | Shri Ashish Bahuguna, JS |
| 8. Shri Tara Dutt, JS Indian syst. Mdi. & Homeo | Dr. S.K. Sharma, Advisor, Aurve. |
| 9. Dr. Hari Gopal Advisor, (JS Rank) DST | <u>Not attended</u> |
| 10. Shri Sudhir Kumar JS. DS & Indust. Research | Dr Pushpangadan, Director, NBRI |

MINUTES OF THE METING:

1. The Chairman welcomed the members and gave brief introduction about the Biodiversity Act, 2002 (**BDA**). He explained that the Ministry of Environment & Forests was following a stage by stage approach and has notified the provisions of sections 1,2, 8-7, 48, 54, 59, 62-65 of the BDA. Section 3, 4, 5 and 6 will be brought into effect after the National Biodiversity Authority (**NBA**) is fully in place with adequate complement of staff and has prepared a well thought out of methodology for processing applications including the notification of regulations by the National Biodiversity Authority in consultation with the Central Government as per Section 64 of the Act. Prior to this the Central Government will notify the Rules under Section 62 of the Act.
2. The Secretary of the National Biodiversity Authority gave a comprehensive presentation on the provisions of the BDA and related International Conventions/Landmarks on Biodiversity.
3. Followed by the presentation on the different sections of the Biodiversity Act the members were requested to express their views on various sections.

4. All the members expressed their views on the determination of benefit sharing out of utilization of bioresources. **Dr. P. Pushpangadan**, Director, NBRI, Lucknow representing **Shri Sudhir Kumar J.S.** Department of Scientific and Industrial Research mentioned during the discussion that he has done the benefit sharing exercise in one of the villages in India and that can be used as example for making benefit sharing exercise in other areas of the country.
Action: Secretary, National Biodiversity Authority to write to Dr Pushpangadan to get the information to be used for further areas if needed.
5. Expert committees to be set up by the National Biodiversity Authority as per section 13 (1) and (2) to advice it on various issues connected with and those likely to arise after full notification of the Biodiversity Act.
Action: Secretary, National Biodiversity Authority to prepare a list of possible nominees and sub committees for consideration of the National Biodiversity Authority.
6. The procedure for applying approval for biodiversity for research from various individuals and organizations may be formed with guidelines. The Chairperson National Biodiversity Authority explained that for example if a person applies for a tissue sample of snake from Western Ghats for research might be applied through Chief Wildlife Warden of the Forest Department from the area concerned. Incase another person applies for transfer of microbe DNA the person should first send the application to Department of Biotechnology. Likewise a person needs any plant or animal material for research should apply through Zoological or Botanical Survey to get approval. For doing so the procedure for application for approval of biodiversity for research, for transfer of results should be framed.
Action: Secretary, National Biodiversity Authority to prepare the Procedure for application for transfer of biodiversity for research purposes.
7. It was noted that as the provisions of sections 3,4,5 and 6 of the BDA are to be brought into effect at a subsequent date, the Ministry of Environment and Forests may be requested to deal with applications which has so far been received by the National Biodiversity Authority as the latter is not presently legally empowered or administratively in a position to process them.
Action: The Secretary, National Biodiversity Authority should take further action in consultation with Dr R. K. Rai Addl. Director (CS) of the Ministry of Environment and Forests (MOEF).
8. The Chairperson expressed that the existing data on the commercial biodiversity, the banned species under different acts for collection and commercial utilization, protected area where in the diversity is available, different manufactures in the country registered under Small Scale Industries and others, different exporters of biodiversity products, existing traditional ecological knowledge, list of *vaid*s and *hakim*s practicing in the country may be compiled from various sources already existing in different departments and Ministries using Research Scholars/Scientists on contract basis. To this effect a proposal to collate the information in the form of a database containing all information such as place of availability, distribution, known status of the organism, commercial use etc., may be developed and submitted for sanction.

Action: The Secretary, National Biodiversity Authority may prepare a proposal to this effect and execute the work with in one year of the acceptance of the proposal on the above compilation work.

9. Some members requested that in the notification constituting the National Biodiversity Authority the words “Joint Secretary” of the concerned Ministry has been written. As all Ministries/Departments did not have Joint Secretaries dealing with the subject of biodiversity the words could be amended as “Joint Secretary/Equivalent”.

Action: Secretary may take up this case with Dr R. K. Rai, Ministry of Environment & Forests.

10. Secretary indicated that at present he was without any staff as those deputed by the Ministry of Environment & Forests has not joined from their parent organizations. The National Biodiversity Authority noted that wherever necessary the Secretary may with prior approval of the Chairman engage suitably qualified personnel on a short term contract basis on the same terms and conditions as applicable to Government Ministries/Departments. The representative of the Ministry of Environment & Forests indicated that the issue of deputed staff joining the National Biodiversity Authority as early as possible was being pursued.

11. The meeting ended with thanks to the Chair.

25.11.2003.

02.12.2003.

Sd/-

Dr. K. VENKATARAMAN
MEMBER SECRETARY

