

How the National Biodiversity Authority (NBA) was born

Increasing concerns about dwindling biological resources in the world led to the adoption of the international Convention on Biological Diversity (CBD) in 1992. The CBD reaffirms the sovereign rights of the nations over their biological resources and emphasizes that access to genetic resources should be provided for environmentally-sound purposes and be governed by national legislations. India is a signatory to the CBD. The Government of India enacted the Biological Diversity Act (BDA) 2002, to manage our biological resources, and notified the Biological Diversity Rules in 2004.

Under the Act, the National Biodiversity Authority (NBA) headquartered in Chennai, Tamil Nadu, was established as an implementing body at the national level, State Biodiversity Board (SBB) at the State level and Biodiversity Management Committee (BMC) at local levels which decentralize the implementation process.

What the National Biodiversity Authority Does

In an Advisory Capacity

- Advises the Government of India on matters relating to conservation of biodiversity, sustainable use of its components and equitable sharing of benefits arising out of utilization of biological resources and associated knowledge.
- Advises State Governments in selection of areas of biodiversity importance to be notified as heritage sites, and suggests measures for their management.
- Works with State Biodiversity Boards by providing technical guidance, and extends financial support to Biodiversity Management Committees.

As a Regulator

- Implements the provisions of BDA, in consultation with various stakeholders, including SBBs, BMCs and Experts Committees.
- Regulates activities and issues guidelines for access to biological resources and for equitable sharing of benefits, as per the BDA.
- Takes measures to oppose the grant of Intellectual Property Rights in any country outside India on any biological resource obtained from India or knowledge associated with such resources derived illegally.



Ministry of Environment, Forest & Climate Change

Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi - 110 003

Visit: [www.moef.nic.in](http://www.moef.nic.in)




Like: [moefcc](#) | Follow: [moefcc](#)



National Biodiversity Authority

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


Visit: [www.nbaindia.org](http://www.nbaindia.org)



# NATIONAL BIODIVERSITY AUTHORITY

## 2014-2015 AT A GLANCE

Autonomous and Statutory Body of the Ministry of Environment, Forest and Climate Change, Government of India



Regulation of Access to Biological Resources and / or Associated Knowledge

The National Biodiversity Authority is mandated to regulate access to biological resources and / or associated knowledge for research, bio-survey and bio-utilization, commercial utilization, obtaining Intellectual Property Rights, transfer of results of research and transfer of accessed biological resources.

The procedures to be followed by the applicant are outlined in the Act, Biological Diversity Rules 2004 and ABS Regulations 2014. The details of application forms for specific activities are given below:

Form No.	Purpose of Application	Applicant
I	Access of biological resources occurring in or obtained from India and / or associated traditional knowledge for research, commercial utilization, bio-survey or bio-utilization	Non-Indian, NRI, Foreign entity or Indian entity having non-Indian participation in share capital or management
II	Transfer the results of research	Any Indian / non-Indian or entity to any non-Indian, NRI, foreign entity or Indian entity having non-Indian participation in share capital or management
III	Applying for Intellectual Property Rights for inventions based on any research or information on a biological resource obtained from India	Any Indian/ non-Indian or entity
IV	Transfer of biological resources / knowledge already accessed, to a third party	Any person who obtained approval of NBA in Form I, to Indians / non-Indians or entities

For further details, please refer to the NBA website: [www.nbaindia.org](http://www.nbaindia.org)



# NBA's Activities and Achievements (2014-15)

## Administrative Achievements

- The NBA notified the ABS Regulations on 21.11.2014. The Regulations, called the Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014, contain the procedures for accessing biological resources and / or associated knowledge and mode of benefit sharing.
- NBA developed a simplified application form (Form B) for use by Indian researchers / Government organizations for sending / carrying biological resources abroad for non-commercial research or to carry out urgent studies to avert emergencies like epidemics, etc.
- NBA handled 113 new applications from different stakeholders.
- The Expert Committee on ABS met four times during the year and evaluated around 200 applications on access to biological resources and / or associated knowledge, and provided recommendations on the applications to the NBA and also gave inputs on certain techno-legal issues.
- A total of 41 ABS agreements were executed between applicants and the NBA. These agreements serve as approval for access to biological resources and / or associated knowledge.

- NBA issued approvals for accessing Red Sanders wood auctioned by the Government of Andhra Pradesh to 15 foreign buyers. In the process, NBA realized a sum of ₹ 15.49 crores as benefit sharing.
- An Expert Committee is working towards chalking out modalities for utilization of the benefit sharing amount received from access of red sanders, keeping in view the conservation and sustainability issues of this endemic species.
- A Core Expert Group is reviewing the functioning of the existing national repositories designated under BDA for safe custody of voucher specimens of biological material, and developing working guidelines for these repositories.
- As per the BDA, State governments may notify rules for implementing the Act. NBA provided comments on the draft Rules received from Tamil Nadu, Meghalaya, Telangana, Jammu & Kashmir and Haryana.

## Financial Support

- NBA has provided a sum of ₹ 3.81 crores towards formation of BMCs in 20 States.
- NBA has provided a sum of ₹ 7.89 crores towards documentation of People's Biodiversity Registers to 17 SBBs.
- NBA has also provided grants-in-aid to the tune of ₹ 12.61 crores to 28 States towards strengthening SBBs.



## Notifications and Declarations

The NBA facilitates the process of declaring areas of biodiversity importance as Biodiversity Heritage Sites (BHS). So far, seven BHS have been declared by three State Governments - Karnataka (4) Maharashtra (1) West Bengal (2). Of these, three sites were declared as BHS this year.

Under the provisions of the BDA, the Central Government, in consultation with State Governments, may notify species as threatened, and prohibit or regulate their collection and take appropriate steps to rehabilitate and preserve them. The NBA acts as a facilitator between the MoEFCC and SBBs for expediting the notification process. So far, the MoEFCC has notified threatened species in 16 States and two Union Territories.

## International Reach

- India is a party to the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). NBA worked with the MoEFCC on notifications issued by the latter, exempting select crops mentioned in the ITPGRFA from the purview of Section 3 and 4 of the Biological Diversity Act, to enable their utilization and conservation for research, breeding and training for food and agriculture.
- The MoEFCC designated NBA as the "Competent National Authority" for the Nagoya Protocol in August 2014. The Secretary, NBA, has also been designated as the 'National Authorized User' for the

Access and Benefit Sharing (ABS) Clearing House of the Convention of Biological Diversity (CBD).

- Information such as BD Act, Rules, notifications, publications etc. have been uploaded on the ABS-CH website.
- The NBA and the MoEFCC jointly organized a meeting on the 2nd ABS Dialogue on Key Challenges and Practical Ways Forward for the Implementation of the Nagoya Protocol at Goa in August 2014, with the objective of providing an opportunity for further exchange of views and experiences among Government representatives and relevant stakeholders.
- The Centre for Biodiversity Policy and Law (CEBPOL), a joint initiative between the Governments of India and Norway, organized a two-day workshop on Consolidating CEBPOL - Sharing of Experience on Access and Benefit Sharing, in February 2015 at Chennai.
- The United Nations Development Programme (UNDP) is implementing a global multi-country project in Biodiversity Finance Initiative (BIOFIN), which provides tools and methodological framework for measuring expenditure on biodiversity, for countries to use while mobilizing resources for achieving the global and national biodiversity targets. NBA is the host organization for implementing BIOFIN. Two meetings have been held to discuss the subject.

