



Guidelines for Biodiversity Management Committees (BMCs)



National Biodiversity Authority



Formation of BMC

- **Section 41 of the Biological Diversity Act states as follows:-**

Every **local body** shall constitute a Biodiversity Management Committee within its area for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.



Functions of BMC

- Prepare, maintain and validate **People's Biodiversity Registers** in consultation with the local people.
- **Advise** on any matter referred to it by the SBB or Authority for granting approval, to maintain data about the local vaid and practitioners using the biological resources.
- **Levy charges** by way of collection fees from person(s) accessing or collecting bioresource for commercial purpose from its territorial jurisdiction.

Section 41 & Rule 22



1. Integration of BMCs to other village level committees related to natural resource management

- All village level committees to find representation in the BMCs
- SBB to issue suggestive list of Members to be included in the BMCs
- BMCs to reflect the nature of the biodiversity in the village/ region for conservation of local knowledge and traditions



2. Office of the BMC and members of the permanent establishment

Office space to be provided by local bodies, staff of the line dept. like forest guard/gram sevak/Village agriculture officer shall be nominated to function as Secretary to the BMC.

3. Technical Co-ordinator (TC) for BMCs

Each BMC shall have a Technical Co-ordinator (TC) to assist the BMC in its functioning. The cost for the TC shall be borne by SBB / BMC.

4. Tenure of the BMC

The Chairperson of the BMC shall have a tenure of 3 years. The non-official members of the BMC shall have a tenure of five years or coterminous with the tenure of the local elected body whichever is lesser



5 Roles and Functions of the BMCs

The BMCs would, in addition to the preparation of the People's Biodiversity Register (PBR), participate in following activities:

- ❖ Conservation and sustainable utilization of biological resources
- ❖ Eco-restoration of the local biodiversity
- ❖ Proper feedback to the SBB in the matter of IPR, Traditional Knowledge and local Biodiversity issues, wherever feasible and essential feedback to be provided to the NBA.
- ❖ Management of Heritage Sites including Heritage Trees, Animals/ Micro organisms etc., and Sacred Groves and Sacred Water bodies.

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- ❖ Regulation of access to the biological resources and/ or associated Traditional Knowledge, for commercial and research purposes.
- ❖ Sharing of usufructs arising out of commercial use of bio-resource
- ❖ Conservation of **traditional varieties/breeds** of economically important plants/animals.
- ❖ Biodiversity **Education** and **Awareness** building
- ❖ Documentation, enable procedure to develop **bio-cultural protocol**.



6. Technical Support Groups for strengthening BMCs and preparation of PBRs

- The SBB shall formulate District level technical support groups comprising of officials/ institutions /people of excellence and expertise in the biodiversity issues at local level, which should guide the **BMC in its operation**.
- The People's Biodiversity Registers shall be maintained, **authenticated** and **validated** by the Biodiversity Management Committees with the assistance/guidance of the local Technical Support Committee, a copy of which would be made available to the SBB.



7. BMC Action Plan

- Each BMC shall prepare an Action Plan, drawing information validated in the People's Biodiversity Register.
- A technical support group (TSG) shall guide in the preparation of the action plan.
- The Action Plan to include
 - a) conservation of the bio-resources,
 - b) training needs identified for the personnel of the BMC and
 - c) list of potential items for consideration for registration as Geographical Indicators (G.I).
- Micro plan for the sustainable use of local biodiversity including medicinal plants associated traditional knowledge.



8. BMCs and Access to Biological Resources, Levy and Benefit Sharing

- The issues related to collection fee, benefit sharing and management of heritage sites, sacred groves, water bodies etc., can **be done in consultation with the technical support of the SBB,**
- SBB will set up technical support groups with experts to assist BMCs.



9. Custody of People's Biodiversity Registers (PBRs) and information therein

BMC shall ensure the protection of the knowledge recorded in the People's Biodiversity Register principally in the matters of regulation of access to agencies and individuals outside the village limits. Access to registers need to be recorded in writing and maintained in consultation with SBB/ Technical Support group.



10. Operational Guidelines for BMCs

- BMC shall hold a minimum of **4 meetings** in a year, and meet once at least in every 3 months.
- The meetings shall be chaired by the Chairperson of the BMC, and in his/her absence, by any other member elected by the members present.
- The quorum at every meeting shall be **three** including the chairperson and excluding official members.



- The minutes of the meeting so conducted, shall be drawn and a copy sent to the SBB and the local body.
- The SBB shall provide a format for drafting of minutes of the meetings, maintenance of meeting registers and alike, lay down the procedures for updating the registers & record of discussions, resolutions made, audit etc., which would facilitate Process Documentation at the BMC level.



11 Suggested format for Annual Reports

- The name of the committee
- The period to which the report relates
- The incumbency of office for the period
- Detailed statement of programmes of action for the year
- Detailed report on the activities performed during the year
- A brief account of financial position of the committee
- Map of jurisdiction
- Progress of work in People's Biodiversity Register (PBR):
- Documentation

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- Updation
- Validation in consultation with the SBB and TSG
- Minutes of resolutions and decisions made by BMC
- BMC Annual Financial Report with resolutions of the BMC
- List of Visitors who viewed PBRs
- List of persons provided access to biological resources and traditional knowledge by BMC
- Important communication between BMC-SBB-NBA
- Photographs, News clippings (if any)



12 Funding BMCs and maintenance of their accounts

- The State Government on the recommendation of the SBB shall designate **Nodal officers** for each of the districts to oversee the various matters of the BMC.
- BMC should draw a plan of Action for accessing resources from various sources such as – NBA, SBB, Grants, Donations, Various line departments of Government of India and the State Governments, other Central and State Boards, Institutions, Corporate Bodies etc.,
- Start up funds may be obtained from the NBA, SBB. The state government may make appropriate provision in the budget for funding SBBs and provide financial support through SBBs to the BMCs.
- The SBB shall facilitate the BMC to open a Bank Account with an Enabling Letter that BMC have been formed in accordance with The Biological Diversity Act,2002.



- The Secretary of the BMC will maintain the accounts of the BMC. The accounting procedures will be drawn up and format for the maintenance of the accounts will be provided by the SBB. The SBB will also draw a check list to ensure that there is proper maintenance and submission of accounts.
- The BMC would give Utilization Certificate (UC) to the appropriate authority from whom they received the Fund and NBA/SBB as required.
- The accounts would be audited annually by an Auditor specially appointed for the purpose and after being passed by the BMC will be given to the local body and the SBB.

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- The members of the BMC and the Secretary of the BMC should be trained and educated on the procedure for giving Utilization certificate (UC) and accounting procedures including preparation of Annual Report and utilization of the resources in accordance with the Action Plan drawn up by the BMC, prioritizing the conservation of the local biodiversity.
- The State Governments upon the recommendation of the SBB shall provide adequate fund and support staff at Nodal/district levels, to carry out the implementation of the Act, keeping in view the priorities and importance of the regional issues.

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14 Disputes with regard to BMCs

In case any dispute arises between a BMC and another BMC or BMCs, the aggrieved BMC or BMCs, shall prefer the point or points of dispute to the State/Central Government which shall refer the same to the Authority or the SBB. Aggrieved BMCs may refer disputes to SBBs. Cases that cannot be resolved by SBB shall be referred to the State / Central Government. Disputes at the District level would be attended to by District level Nodal officers viz., Collector/CEO/DCF as per nature of the dispute and the State Government would decide the procedure.



15. Special Note on North East India

BMC Model for NE States: There are a large number of major and sub tribes in the NE States. There are **geographical and cultural variations with regard to the structure of communities** in the NE States. In addition, different NE states have different levels of autonomy, which further complicate issues. Some states have both traditional leaders as well as those elected by the law. In other situations, the village council undertakes all activities related to the development in the village. The NE region can not be clubbed as a single entity. Hence **a uniform model for the NE States is not possible**. The NBA and SBB should allow for flexibility, to take into account local conditions, traditions and customary laws and practices. In many instances the local tradition of these states is far advanced than the rest of the country.

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Community Conserved Areas (CCA): In many locations there are **Community Conserved Areas (CCA)** that offer protection to biodiversity. This is a unique feature with regard to the NE states and the BMCs of the NE states need to be supported, where they are quite advanced and already operational.

Land Tenure and BMCs and importance of raising awareness about the BD Act: Land tenure with regard to cultivated and non cultivated lands in the NE states is fairly complex. For example land in the Apatani Plateau is classified into: **Community lands** (Common to all groups in the villages), **Clan lands** (Owned by members of a clan only) and **Individual land** (Owned by a family) apart from the **Reserved Forests** which is in the custody of the State. In most NE states, the area under the control of the forest department is limited. Hence the role of BMCs in Biodiversity Management in such regions will be critical. Hence, raising awareness about the Act amongst various stakeholders - officials and representatives of communities is essential.

BMCs and Shifting Cultivation (Jhum) the BMCs may be involved in raising awareness about the loss of Biodiversity arising out of shifting cultivation.

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Peoples' Biodiversity Registers: Preparation of PBRs is critical given the fact that NE states are both Global Biodiversity Hotspot and very rich in traditional knowledge of communities. The **PBR exercise** being carried out in **Nagaland** is systematic, logical and realistic. Data is collected over a period of time, cross-checked and validated before finalization. This is a workable model that can be adopted by others states involved in the exercise.

Involvement of Research and Educational Institutions in PBR preparation and maintenance: Strengthening village communities with regard to preparation of PBRs with the help of **research and educational institutes** is important. A symbiotic relationship with such institutions, the State Biodiversity Boards and the BMCs is required. In a meeting in Arunachal Pradesh, members of the Apatani communities expressed the need for a Technical Support Group (TSG) for assisting in the preparation of PBRs, and require guidelines for sustainable harvest of resources and conservation.

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