



NATIONAL BIODIVERSITY AUTHORITY

PROCEEDINGS OF THE 55th AUTHORITY MEETING

12th March, 2020

Venue

**Indus Hall,
Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi-110003.**

Proceedings of the 55th Authority Meeting of the National Biodiversity Authority, held on 12th March 2020

The 55th Authority meeting of the National Biodiversity Authority (NBA) was held on 12th March 2020 at the Indus Hall of Ministry of Environment, Forest and Climate Change, Paryavaran Bhawan, New Delhi under the Chairmanship of Dr. V.B. Mathur, Chairman, National Biodiversity Authority. The list of participants is placed as **Annexure-I**.

2. At the outset, Dr V.B.Mathur, Chairperson, NBA welcomed the Members to the meeting. He also briefed the members about the activities which had taken place during the interregnum period.

3. Thereafter, Shri. J. Justin Mohan, Secretary NBA welcomed the members and presented the agenda items as under:

55.01: Confirmation of the Proceedings of the 54th Authority meeting

The draft proceedings of the 54th Authority meeting of the National Biodiversity Authority held on 31st October 2019 at Delhi was circulated to the Members seeking their comments. The comments received had been duly incorporated in the proceedings, as appropriate.

Decision: The proceedings of the 54th Authority Meeting were confirmed.

Action: NIL

55.02: Action Taken Report of the 54th Authority Meeting

The Secretary, NBA apprised the members about the actions taken and actions that are in progress on the decisions taken in the 54th Authority Meeting.

Decision: Members noted the action taken on the decisions.

Action: NIL

55.03: Proceedings of the 57th Meeting of the Expert Committee on Access and Benefit Sharing held on 08th - 09th November, 2019

The 57th meeting of the Expert Committee on Access and Benefit Sharing (EC on ABS) was held on 8th & 9th November 2019 at the National Biodiversity Authority, Chennai.

2. A total of 261 applications and four generic issues were placed before the EC for examination. 165 Form-III applications and 12 Form-I applications which were recommended for approval by this EC on ABS were cleared by the NBA Secretariat by sending draft agreements to the applicant for execution.

3. Further, the EC considered 78 applications under OM issued by the MoEFCC and made its recommendation on those applications.

Decision:

(a) The Authority approved the recommendations of the 57th EC on ABS.

(b) The Authority ratified the action taken on the 177 applications.

Action: Secretary

55.04: Proceedings of the 58th Meeting of the Expert Committee on Access and Benefit Sharing held on 16th & 17th December 2019

The 58th meeting of the Expert Committee on Access and Benefit Sharing (EC on ABS) was held on 16th & 17th December 2019 at the National Biodiversity Authority, Chennai.

2. A total of 149 applications and three generic issues were placed before the EC for examination. 71 Form-III applications and 11 Form-I applications which were

recommended for approval by this EC were cleared by NBA Secretariat by sending draft agreements to the applicant for execution.

3. Further, the EC considered 52 applications under OM issued by the MOEFCC and made its recommendation on those applications,

Decision:

(a) The Authority approved the recommendations of the 58th EC on ABS.

(b) The Authority ratified the action taken on the 82 applications.

(c) The Authority considered the timeline for levying higher percentage of the benefit sharing on the OM cases fall under Section 3 and agreed that higher percentage of benefit sharing to be levied from the date of commercial activities and for the same activities in future, higher percentage to be levied for the period of five years which may be renewed, as appropriate.

(d) It was noted that one applicant (Appl.no. 3317) contravened the provision of the BD Act and Authority decided to take appropriate action against the applicant.

Action: Secretary

55.05: Minutes on Meeting held with Andhra Pradesh Forest Department, Andhra Pradesh and Gujarat State Biodiversity Boards to discuss the project proposals held on 8th January 2020 at NBA, Chennai

Pursuant to the decision taken in the 54th Authority meeting, a meeting was organized under the chairmanship of Dr.V.B.Mathur, Chairman, NBA with the officials of the Andhra Pradesh Forest Department, Andhra Pradesh and Gujarat State Biodiversity Boards on 8th January 2020 at NBA, Chennai to discuss the project proposal on conservation of Red Sanders submitted by the Andhra Pradesh Forest Department and modalities for utilizing the benefit sharing amount accrued on access to bovine cattle embryos.

Decision: The Authority approved the decisions taken in the meeting to discuss the project proposals held with Andhra Pradesh Forest Department, Andhra Pradesh and Gujarat State Biodiversity Boards. However, the detailed proposal of the AP Forest Department has been dealt under a separate agenda and decided thereof.

Action: Secretary

55.06: To consider a revised project proposal to the tune of Rupees 104 crores for Red Sanders forest protection for the period of 2019-2020 submitted by the Andhra Pradesh forest Department.

In order to utilize the benefit sharing (BS) amount realized on access of Red Sanders wood, NBA developed a comprehensive policy for protection, conservation and sustainable use of Red Sanders with the help of an Expert Committee on Red Sanders. It is pertinent to mention that Andhra Pradesh (AP) Forest department (APFD) is one of the major stakeholders that would receive major portion of the benefit sharing component as the Red Sanders are naturally occurring in the State of AP only.

2. The revised proposal submitted by APFD was deliberated by the members and they opined that due diligence should be taken into considering the components of the proposal. Members were of the view that the NBA may support the conservation, regeneration and awareness creation components in the proposal. Also members reviewed the percentage to be allotted for each component suggested in the report and decided to release the funds taking into consideration of matching contribution by AP Government amounting to Rs.50.00 Crores to the APFD.

3. It was also brought to the notice of the Authority that the advance amount of Rs.3.00 crore was released during the year 2017 to the AP Forest Department through AP SBB. However, the UC for the same has not been forwarded through APSBB due to some practical difficulties. The members also observed that report provides 4% of the BS amount can be used for the activities of regeneration of Red Sanders and 40% of the BS amount would be used for protection of Red Sanders. It

was decided that above two components shall be merged together to support the AP Forest department towards conservation and other identified areas as referred to above.

4. During the course of discussion, it was pointed out that a sizeable amount to the tune of Rs.6.00 crore has been accrued as NBA's earmarked amount cum interest component of the benefit sharing component. The utilization of those amount was discussed and decided that NBA may use it for activities such as conservation and sustainable use of bioresources, preparation of PBR, formation of BMCs, awareness creation, training and capacity building programmes, undertaking specific research studies, publications etc.

Decision:

- (a) Authority decided that NBA may support the conservation, regeneration and awareness creation components in the proposal.
- (b) Authority decided to release the amount to the AP Forest Department directly as given below:
 - (i) **Rs1.00 (one) Crore** towards Training and capacity building of staff and communities (S.no.11 of the proposal)
 - (ii) **Rs 1.00 (one) Crore** Community oriented economic activities like Health, Education, Renewable Energy, Water Supply etc. for people living inside and on fringes of Red Sanders (RS) protected/ Reserved Forests & Wildlife Sanctuaries
(S.no.15 of the proposal)
 - (iii) **Rs 10.00 (ten) Crore** towards For research and development to Academic and Research Institutions, Silviculture wings of Forest Department (S.no.17(a) of the proposal) ; and establishing National Level Institute named- "Indian Institute of RS & Biodiversity of Eastern Ghats" with headquarters at Tirupati (S.no.17(b) of the proposal) after obtaining statutory approvals.
 - (iv) **Rs 15.00 Crore** towards (1) Regeneration of Red Sanders ; (2) to promote artificial propagation on farmers' fields as a component of agro-forestry;

raising of quality Red Sander's seedlings for free public distribution; Seed stand / seed orchard; and (3). Raising of RS trees on government-owned institutional lands and on municipal parks, avenue plantations, etc., as a part of urban forestry programme. (*S.no.17(c)(i), (ii) &(iii) of the proposal*)

(v) **Rs 55.00 lakh** towards for conducting activities of Communication, Education and Public Awareness (CEPA); Incentives and awards for conservers of Biodiversity and promotion of sustainable trade of Biological resources; Publicity materials / publications, training and capacity building, consultations (*S.no.18(b) of the proposal*)

(vi) **Rs 4.00 (Four) Crore** towards procurement of the tree transplant machine (*S.no.19 of the proposal*).

(c) Authority authorized the Chairperson, NBA to release the amount as stated supra (b) to the AP Forest Department, in installments, as appropriate. AP SBB may monitor the activities of the project and submit the reports to NBA as required.

(d) The Andhra Pradesh State Biodiversity Board shall forward the Utilization Certificate for Rs 3.00 Crore submitted by the Andhra Pradesh Forest Department along with a covering letter to NBA.

(e) Authority authorized the Chairperson, NBA to utilize the earmarked amount on accrued benefit sharing component and interest component for activities such as conservation and sustainable use of bioresources, preparation of PBR, formation of BMCs, awareness creation, training and capacity building programme, undertaking specific research studies, publications etc.

Action: Secretary

<p>55.07: To consider a proposal for the tune of Rs. 11.26 Cr for constitution of Biodiversity Management Committees, preparation of People's Biodiversity Registers in the Red Sander forest bearing areas submitted by the Andhra Pradesh State Biodiversity Board</p>

The Andhra Pradesh State Biodiversity Board vide letter dated 07.01.2020 submitted a proposal for the tune of Rs.11.26 Cr for constitution of Biodiversity Management Committees, preparation of People's Biodiversity Registers in the Red Sander forest bearing areas as per the Red Sanders (RS) report. The proposal was discussed in the meeting held with Andhra Pradesh Forest Department, Andhra Pradesh and Gujarat State Biodiversity Boards on 08th January, 2020. In the meeting, it was decided that NBA would support only where the BMCs have not funded earlier by the NBA through grant in aid.

2. Members observed that as BMCs have already been constituted in some of the local bodies and documented PBRs at village level in the five districts with financial support of NBA, NBA may therefore provide support only where the BMCs have not constituted and PBRs have not been documented. Members also expressed that NBA may extend its support for sensitizing the local people about the importance of red sander conservation in the fringe villages of Red Sander areas.

Decision:

- (a) NBA may support financially to constitute BMCs and document PBR only in the villages not earlier funded under GIA scheme..
- (b) Authority also directed NBA to support the AP SBB for sensitizing the local people about the importance of Red Sanders conservation in the fringe village of the forest.

Action: Secretary

55.08 Evaluation of Research Proposals on Red Sanders
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NBA had invited proposals on the identified thrust areas for Red Sanders (RS) research from different Government institutions including CSIR, ICFRE, ICAR and other Government Institutions. A total of 15 proposals were received by the Secretariat for consideration from CSIR, IFGTB, IWST and CSIR-NEERI. The project

proponents were invited to present the proposals before the expert committee (EC) and to make brief presentations followed by discussions.

2. The EC on evaluation of research proposals on Red Sanders in its meeting held on 20th & 21st February 2019 has recommended six proposals for approval with specific conditions and the same was approved in the 52nd Authority Meeting. The conditions recommended by EC were communicated to the project proponents with a request to submit the revised proposal.

3. Out of the six project proponents, five proponents submitted the revised proposals and the same were approved by the Authority in its 54th meeting (Agenda item No.54.08). Now, NBA has received a revised proposal from Institute of Wood Science and Technology for development of SSR markers in collaboration with TDU to the tune of Rs.69,16,000/.

Decision: The members approved the proposal of the Institute of Wood Science and Technology with the revised budget and decided that NBA may release the total project funds to IWST.

Action: Secretary

55.09 To consider draft Annual Report of NBA for the year 2018-19.

The draft annual report on the activities of NBA for the year 2018-19 along with the annual account statement and Certification of the Audit of Annual Accounts were presented by the Secretary. Members suggested that preparation of the Annual Report for the next financial year may be expedited. Members also requested that one week time period may be given to them to review the Annual Report 2018-2019.

Decision: Authority approved 'in-principle' the annual report for the year 2018-19 along with the annual account statement and taking into consideration comments/suggestion that may be received from members within one week time period.

Action: Secretary

55.10: Comments of the National Medicinal Plant Board on the Proceedings of the 54th Authority meeting

The 54th Authority meeting was held on 31st October, 2019 and the draft Proceedings of the 54th Authority meeting was circulated to the members on 8th November, 2019 for their valuable comments/suggestions by giving time upto 15th November, 2019. The comments were received from the members on or before the due date have been duly incorporated in the draft proceedings and the same has been finalized.

2. Dr. Jeetendra Kumar Vaishya, NMPB offered his comments on the proceedings of the 54th Authority vide email dated 9th December, 2019.

Decision: Authority decided that as the proceedings have already been finalized and action taken on the decision, the comments offered by the NMPB will be used appropriately as the information is useful to move forward on conservation of medicinal plants, particularly by BMCs.

Action: Secretary

55.11 Revision of Funding Strategy for the SBBs towards preparation of PBRs and operationalizing the BMCs

In the context of Order issued by the Hon'ble NGT, all the States have progressed well by constituting nearly 90% BMCs across the country. NBA has been financially supporting the SBBs towards constitution of BMCs and preparation of PBRs to a limited extent, subject to the proposals received from the States.

2. Members noted that the revised guidelines for operationalization of BMCs were placed before the 54th Authority and the same were approved except provision on quantum of funding by NBA to SBB towards formation of BMC considering the funds being received by NBA from the MoEFCC.

3. In view of completion of BMC at all levels by the States, there is no further requirement to support their establishment. Convergence of Panchayati Raj system with the BMCs at all levels will pave way to strengthen the operationalization of BMCs. In order to make the BMCs functional, further assistance may be drawn from the local bodies at panchayat and urban levels.

4. Members noted that preparation of PBR across the country is yet to be completed which have high cost implications. As on 31.01.2020, a total number of 95,252 PBRs have been prepared. NBA has received proposals to the quantum of nearly Rs. 669 Crores from 13 States. Given the fact that NBA has no mandatory role in funding the process of PBR preparation, however, NBA is performing its facilitator role and has also been supporting the States from time to time subject to allocation of Grants-in-Aid from the Ministry.

5. Members were informed that Gujarat and Chhattisgarh State Biodiversity Boards have received CAMPA funds for preparing PBRs. Members suggested that other states may also explore the feasibility of using CAMPA funds under Section 5(3) of CAMPA Rules. The Chairman, NBA suggested that a communication may be sent to the MoEFCC requesting for an advisory to be issued to CAMPA Authority to allocate funds for preparation of PBR by the States. Dr. P.C. Bhattacharjee suggested that Department of Agriculture & Cooperation in States, other State Departments and Line Departments can be approached for exploring funding on this score.

6. During the discussion, it was informed that MoEFCC formed a Monitoring Committee to evaluate the quality of PBRs prepared by different States. The committee has been formed based on the direction of the Hon'ble NGT and it had met twice and is developing criteria for evaluating the PBRs.

7. Dr. Sujit Kumar Bajpayee, Joint Secretary, MoEFCC apprised that the Ministry of Rural Development and Panchayati Raj has already been approached for extending funding support.

Decision:

- (a) Authority decided that a communication may be sent to the MoEFCC requesting for an advisory to be issued to the CAMPA Authority for providing funding for documentation of PBR in the States.
- (b) Authority decided that earmarked funds of NBA from ABS amount, interest component, benefit sharing component where beneficiaries are not identifiable shall be used for preparation of PBR, training and capacity building of BMCs and matters related thereto.

Action: Secretary

55.12: Quantum of Financial Assistance to be fixed towards Preparation of PBR at Urban Body Level

Secretary informed that Karnataka Biodiversity Board has sought the rate of documenting PBRs at Urban local bodies (vide letter no. BMC/DO9/PPS/14/587 dated 03.01.2020). Under the provisions of existing BMC Operational Guidelines, NBA extends financial support towards preparation of PBRs at Village, Block and District level and the quantum of support has been fixed for all these levels. The members deliberated that a bench mark should be arrived at for the quantum of financial assistance required towards preparation of PBR. After deliberation, it was decided that for urban level PBR, a cost of Rs.2.30 lakhs may be fixed.

2. The Chairman, NBA apprised that MoEFCC has constituted a national committee to evaluate PBR in all the states. This committee is divided into two, each consisting of 7 members each and covering all states. He also apprised the members that based on the NGT order; the national level committee will evaluate the PBR based on sampling strategy. He mentioned that the Additional Secretary, MoEFCC has suggested to also have state level committees to undertake PBR quality evaluation with the same the framework being used by the National level committee.

Decision:

- (a) Authority decided that financial assistance of Rs.2.30 lakhs may be fixed for preparing PBR at Urban body level.
- (b) Authority also decided that SBBs to have a committee to undertake PBR quality evaluation using the framework developed by the national level committee.

Action: Secretary

55.13: Revision of the quantum of financial support given per annum to SBBs towards various components viz. Outsourcing of contractual staff, strengthening of SBB

Members noted that issue of revision of the quantum of financial support to be given per annum to SBBs was discussed in the 54th Authority Meeting. The Authority granted approval to the revision of the quantum of financial support based on the proposals from SBBs and subject to availability of funds. The matter was resubmitted before this Authority in view of the proposal received from Assam SBB. The members deliberated and authorized NBA to take appropriate decision on the proposal submitted by Assam SBB.

Decision: The members authorized the Chairperson, NBA to take appropriate decision on the proposal submitted by the Assam SBB.

Action: Secretary

55.14: Financial Support to the Biodiversity Heritage Sites (BHS)

Under section 37 of the Biological Diversity Act, 2002, State Governments in consultation with the local bodies may notify the areas of biodiversity importance as BHS. Out of the three tenets of the Act, section 37 deals with conservation of habitat and species together with support of the local communities. At present, there are 17 BHS's notified by the 11 States which is quite negligible, given the mega diverse

character of the bio-resources and existing protected area network established under the Wildlife (Protection) Act, 1972. The NBA has sent a communication to the Chief Secretaries of all States vide letter no.9/89/2006/SBB/Genl/3807 dated 12-02-2020 requesting them to expedite the process of identifying and declaring BHS in the respective states.

2. NBA issued a guidelines for selection and management of the BHS which provides that NBA may support the initial establishment of BHS financially by allocating adequate funding support as seed money through SBBs. Simultaneously, the financial requirement of BHS may be included in the annual budget of the local body. It also states that State Government may also allocate adequate seed money to each BHS on its notification through SBB. The BMC or other institution which is managing BHS would be recognized as an authorized body to avail the financial assistance under all government schemes and other funding sources as legally permissible.

3. Members noted that, in the past, based on the proposals received from the Karnataka and Tripura SBBs, NBA extended a financial support to Karnataka and documentation of sacred groves in the state of Tripura. In view of the other effective area-based conservation measure (OECM) and effective implementation of the BD Act, there is a greater opportunity to co-manage BHS by engaging the BMCs.

4. The members suggested that a study on identifying potential sites to be declared as BHS may be undertaken by NBA for the purpose of inventorization and also for understanding the quantum of funds required for managing BHS during initial stage. Dr. Dinesh Misra and Dr. P.C. Bhattacharjee suggested that temple forests/ sacred grooves may be considered for designating as BHS.

Decision:

Authority decided that NBA may commission the study through a reputed government institution to undertake an inventory study about the potential sites for declaring as BHS.

Action: Secretary

55.15: To consider exemption for patent applications using Human Genetic Material

Section 6 of Biological Diversity (BD) Act, 2002 requires that any person applying for any Intellectual Property Right for an invention based on any research or information on a biological resource obtained from India, shall obtain prior approval of NBA. However, as per Section 2 (c) of the BD Act, “human genetic material” is excluded from the definition of ‘biological resource’. Thus, the inventions based on research on human genetic material will not come under the ambit of Section 6. Accordingly, NBA has granted NOC for the patent application in which the invention is based on ‘Human placental waste tissue’.

Decision: The members noted NOC granted for the patent application by M/s Cuor Stem Cellutions Pvt. Ltd and ratified the same.

Action: NIL

55.16: Revision of Guidelines for Contractual Engagement of Staff, Young professionals, Interns

In exercise of the powers conferred under Section 13 (2) of the Biological Diversity Act, 2002 read with Rule 11 of the Biological Diversity Rules, a committee has been constituted under the chairpersonship of Shri P.C. Tyagi, Former PCCF and HOFF, Govt. of Tamil Nadu for reviewing and revising the guidelines for engagement of Consultants / Young Professionals / Interns at NBA. The committee met on 11th March, 2020 at Chennai in which the guidelines for engagement of Consultants / Young Professionals / Interns have been reviewed and revised. The Chairman, NBA informed the members about the modifications proposed which were in line with the norms set by the Government and followed by other similar agencies. He reiterated the need for engaging the Young Professionals and Consultants for carrying out the activities of NBA.

Decision: The members, *in principle*, approved the revised guidelines for engagement of Consultants / Young Professionals / Interns and initiate the process of engagement. Authority also directed the NBA to place the revised guidelines in the next meeting of the authority for ratification.

Action: Secretary

55.17: Ratification of decisions on Form-B applications
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Under agenda item 32.06 of 32nd Authority meeting, it was decided as follows: -

- a) *The Chairman, NBA is authorized to accord approval or otherwise for Form- B applications, without referring to the SBB and the EC on ABS.*
- b) *The approval or otherwise on the applications accorded shall be placed in the subsequent authority meetings for ratification.*

2. Accordingly, 22 Form-B applications were ratified by the members.

Decision: The Authority ratified the decisions taken on 22 Form-B applications by the Chairperson, NBA.

Action: NIL

55.18: To Ratify the Determination of Upfront Payment for the OM applications
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The 56th meeting of the EC on ABS was held on 8th & 9th August 2019 at NBA, Chennai. EC observed that some of the applications which were considered under the OM during the 55th EC on ABS, upfront payment has not been fixed and it was decided to keep the upfront payment to the OM cases where it has not been fixed in the previous meeting. It was also noted that Form- I applications where approval was sought for, already conducted research on biological resource obtained from India by entities, EC has made recommendations as follows on such cases:

- a) determine an upfront payment as per the approved guidelines
- b) Fix non-monetary BS component viz organize awareness programs with regard to compliance of the Biological Diversity Act.
- c) applicant shall also furnish an undertaking stating that provisions of the BD Act shall be complied in future.

2. The proceedings of the 56th EC on ABS has been considered by the Authority in its 54th meeting vide agenda item no. 54.04 and approved the recommendations. Pursuant to the decision, NBA fixed the upfront payment as per the guidelines issued by the Authority and also non-monetary benefit sharing mechanism to the OM **64** applications where benefit sharing component has not fixed in the previous meeting.

Decision: Authority considered and ratified upfront payment fixation and also non-monetary benefit sharing mechanism in respect of the 64 OM applications

Action: NIL

55.19: To consider the applications for access to Red Sanders wood approved by the Chairperson, NBA

In the 32nd Authority meeting (32.07), the Authority authorized the Chairman, NBA to accord approval to Red Sanders applications without following the normal procedure and also directed the NBA Secretariat to place such approvals in the subsequent Authority meeting for ratification. Accordingly, nine applications submitted for access to Red Sander wood have been approved by the Chairperson, NBA and the same were placed before the Authority for ratification.

Decision: The Authority ratified the decisions taken on the Nine (9) Red Sanders applications.

Action: NIL

54.20: Items for information

55.20.01: Details of Form-C applications received by the NBA

The Authority, in its 37th meeting held in March 2016 under agenda item 37.14.02, decided that the Indian researchers / scientists should provide prior intimation to the NBA in the prescribed format viz., Form – C for deposition of microorganisms in other country's repository for claim of novel species for publication in journals. However, if any non-Indian person /entity intend to access the deposited Indian biological resource from the foreign repository, he/she should obtain the prior approval of NBA as per Section 3 of the BD Act, 2002.

2. NBA has received 183 such intimations since March 2016 - October 2019 and the same have been reported to the Authority from time to time. Since November 2019, the Secretariat has received 18 Form-C applications.

Decision: Members noted receipt of 18 Form-C intimations received by the NBA.

Action: NIL

55.20.02: Progress made by the Expert Committee constituted to Examine BD Act, 2002, BD Rules, 2004, Development of Sector Specific SOPs on ABS, and Examination of the Comments of Stakeholders for Incorporation in the Draft Regulations on ABS, 2019, etc. and developments thereof

Pursuant to the decision taken in the Authority in its 52nd meeting held on 19th March 2019, NBA vide office order dated 24th May 2019 constituted an Expert Committee (EC) under the Chairmanship of Shri. A. K. Goyal, IFS (Retd.) to examine Biological Diversity Rules, User Country Measures under Nagoya Protocol on ABS and development of sector specific SOPs. So far, the committee met 12 times in which members had discussion on the terms of references. As per the ToRs, the committee submitted following reports to NBA:

- a) First interim report on 1st September, 2019 on “suggesting measures for streamlining various approvals by NBA/SBBs”.
 - b) Second interim report on 30th October, 2019 on recommendation on the ABS Regulations, 2019 along with draft of "Access to Biological Resources and Associated Knowledge and the Fair and Equitable Sharing of Benefits Regulations, 2019”.
2. The 54th Authority meeting held on 31st October 2019 vide agenda item no. 54.20.3 considered the report of the EC and it was decided that Authority endorsed the reports of the Expert committee and advised NBA to process it through MoEF&CC, as appropriate. Subsequent to the decision of the Authority, NBA vide letter dated 01.01.2020 communicated a draft (revised) ABS Regulations, 2019 to the Ministry for their approval and issue notification of the same.
3. The committee has developed draft amendments to the BD Act and BD Rules and the same have been circulated to the SBBs for their comments.

Decision: The members noted the progress made in this matter.

Action: NIL

55.20.03: Minutes of the Brainstorming session on Access and Benefit Sharing Mechanism for the Seed Sectors held on 20th December 2019 at NBA, Chennai
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A one-day Brainstorming session on Access and Benefit Sharing Mechanism for the Seed Sector was held on 20th December 2019 at the conference Hall, NBA, Chennai, as per the request made by the Seed sector. The brainstorming session was attended by the representatives of the Ministry of Environment, Forest and Climate Change, Department of Agriculture Cooperation & Farmers Welfare, NBPGR, Independent experts on Biodiversity / Legal like Dr. R.S.Rana, Shri C.Achalender Reddy, IFS, and representatives from Federation of seed Industry of India (FSII) and National Seed Association of India (NSAI).

2. The issues relating to seeds industry have been presented by Associations including Definition of Conventional Breeding; Mismatch of ABS, PPVFRA guidelines; Declaration of the source of germplasm for small and medium companies to SBB and District level committees; and exemption of Indian exporters from BD Act. The following Outcomes have been emerged in the brainstorming session:

1. Representatives of the seed companies supported conservation of agro biodiversity and expressed their willingness to contribute to these efforts through monetary and non-monetary modes.
2. They also agreed to exercise due diligence to ensure that their activities will be BD Act compliance till it is amended.
3. NBA will examine the definition of Conventional Breeding and give further clarity to the industry.
4. NBA will examine the feasibility of the request of seed companies for consideration under NTC exemption list within the existing legal framework.

Decision: The information submitted in this regard was noted.

Action: NIL

55.20.04: Minutes of the Brainstorming session on electronic People's Biodiversity Register (e-PBR) held on 16th November 2019 at NBA, Chennai
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As per section 41 of the BD Act, the mandate of BMCs is to prepare People's Biodiversity Registers (PBRs) to document comprehensive information on local biological resources and associated knowledge. Towards this, NBA and SBBs have made various initiatives / steps including through projects for preparation of PBRs, as a result 13732 PBRs have been documented in 24 States.

2. The Prime Minister's Science Technology and Innovation Advisory Council (PM-STIAC) has recently endorsed the concept of a National Mission on Biodiversity

and Human Well-Being (NMB&HW) presented by the Biodiversity Science Consortium (BSC). The Office of the Principal Scientific Adviser (PSA), Government of India has provided financial assistance to a pilot precursor project with objectives including the preparation of the mission documents including the Detailed Project Report (DPR) and the Expenditure Finance Committee (EFC) Memo. The MoEFCC and the Chairperson, NBA has been assigned the responsibility of preparing the DPR and EFC Memo with technical assistance from the BSC. The goal of this national mission is to strengthen biodiversity science in India to meet our pressing challenges in the environment and human well-being.

3. Recognizing the importance of the PBR in various sectors, MOEFCC has desired to develop a National Information Network for PBR's for use by all stakeholders with the help of experts in order to protect the biological resources and traditional knowledge associated with it. Having realized the emerging & urgent need of setting up of national electronic PBR network, it is necessary to develop in-depth roadmap, and then begin with its implementation of this e-PBR concept.

4. In this context, NBA organized a one-day Brainstorming session on electronic People's Biodiversity Register (e-PBR) on 16th November 2019 at the conference Hall, NBA, Chennai. The outcomes of this session along with near to final roadmap were discussed in the national meet of SBBs held on 27th November 2019. Subsequently, a meeting of the representatives of the NBA and the National Informatics Centre (NIC) was held on 9th January 2020 at NBA, Chennai to review the progress of the e-PBR pilot project awarded to NIC. Further, two days meeting was held on 6th & 7th February, 2020 at the NIC Kerala State Centre, Kerala to review and re-scoping of e-PBR pilot phase project.

Decision: The information submitted in this regard was noted.

Action: NIL

55.20.05: To consider proceedings of the 1st Meeting of the Award Selection Committee for the India Biodiversity Awards 2020 held on 18th December 2019

The India Biodiversity Awards 2020 has been hosted and organized by the National Biodiversity Authority under the directions of the MoEFCC. The call for applications for India Biodiversity Awards (IBA 2020) was officially launched by the Vice President of India on 22nd May 2019 during the celebration of International Day for Biological Diversity at Chennai. The last date for receipt of application is 30th November 2019. A total of 153 applications were received under different categories. Subsequently, NBA has constituted a Jury committee to review the applications under the chairmanship of Dr. Erach Bharucha and Dr. A. K Gupta as co-chair. The first meeting of the jury was held on 18th December 2019 and shortlisted 31 applications for the field visit. The field visit of jury members will be assisted by the Interns engaged through UNDP-NBA Biodiversity Samrakshan Internship Programme.

Decision: The information submitted in this regard was noted.

Action: NIL

55.20.06: NBA-UNDP Biodiversity Samrakshan Internship Programme

The National Biodiversity Authority and United Nations Development Programme have jointly launched 'Biodiversity Samrakshan Internship Program' during the celebration of NBA's foundation day on 1st October 2019. The objective of this program is to attract dynamic and creative youngsters, who are willing to learn about natural resource management and biodiversity conservation and to engage them in the activities of NBA and UNDP. Eleven interns have now been selected through a competitive process and they were given orientation by NBA from 08.01.2020 to 17.01.2020. The tasks allotted to interns are to provide assistance for constitution of BMC, preparation of PBRs and to jury member for selection of India Biodiversity Awards 2020. The expenditure on this account including stipend for interns will be borne by UNDP.

Decision: The information submitted in this regard was noted.

Action: NIL

55.20.07: Second Project Steering Committee (PSC) Meeting ASEAN-India Cooperation Project on “Capacity Building towards implementing the Nagoya Protocol on ABS, the City Biodiversity Index and the Strategic Plan for Biodiversity” implemented by ACB, Manila and NBA, Chennai held on 6 December, 2019 at MOEFCC, New Delhi

The 2nd PSC meeting of the ASEAN-India Cooperation Project was held under the Chairmanship of Shri. Ravi Agrawal, Additional Secretary, MoEFCC on 6th December, 2019 MoEFCC, New Delhi. The meeting took note that, under the Cooperation so far Eight Regional Capacity Building Workshops have been organized in India (2), Philippines (4), Singapore (1) and Vietnam (1); wherein, experience and expertise on the implementation of specific thematic concerns such as Nagoya Protocol on ABS, the City Biodiversity Index, and the Strategic Plan on Biodiversity were shared between India and the ASEAN Member States.

2. The PSC directed the NBA and ACB to prepare a detailed work plan for the Phase-II of ASEAN-India Cooperation for consideration under the ASEAN-India Green Fund (AIGF) so as to build on the activities carried out under Phase-I of the ASEAN-India Cooperation. The Project management unit established at NBA is engaged with this task.

Decision: The information submitted in this regard was noted.

Action: NIL

55.20.08: Meetings attended by the officials of the NBA

1. Inter-ministerial round table discussion held to discuss AYUSH Industry recommendations: The Ministry of AYUSH and Ministry of Commerce & Industry organized the Second edition of International Arogya from 19-22 December 2019 at Varanasi. As a precursor to the CEO forum planned in Varanasi, Ministry of AYUSH and Invest India have organized an Inter-Ministerial round table discussion under the chairmanship of the Secretary, Ministry of AYUSH and Secretary, Ministry of

Commerce & Industry, GoI, recommendations of AYUSH industry to address key issues in compliance of the BD Act.

2. Study-Visit of the Department-related Parliamentary Standing Committee: The Department-related Parliamentary Standing Committee on Science and Technology, Environment, Forests & Climate Change undertook a Study visit to Thiruvananthapuram, Chennai, Sriharikota, Bengaluru and Ahmedabad from 26th to 30th December, 2019. As per the schedule, the Chairman and the Secretary, NBA along with officials of the MoEFCC have appeared before the Parliamentary standing committee on 28th December, 2019 at the office of National Institute of Ocean Technology, Chennai. The Chairman, NBA made a detailed presentation about “Implementation of the Biological Diversity Act, 2002”.

3. Second Session of the India-France JWG meeting: The 2nd Session of the India-France Joint Working Group on Environment meeting was held on 18th & 19th November, 2019 in MoEFCC, in which the Secretary, NBA had participated and made a presentation on “ BD Act and the on-going work/projects related to Biodiversity”.

4. Exposure visit of Nepalese delegates: Mr. Yajna NathDahal, Division Chief (Joint Secretary), Environment and Biodiversity division and National Focal Point to CBD, Ministry of Forest and Environment, Govt. Nepal, Kathmandu have made exposure visit to NBA for understanding implementation of the BD Act and other matters related thereto from 4th-5th November 2019. During their visit Secretary, NBA made a presentation on “Implementation of BD Act particularly ABS” and also had discussion on the various issues relating to ABS mechanism. Tamil Nadu Biodiversity Board in association with GIZ-ABS project have also organized an interaction session with subject experts on implementation of the Biological Diversity Act 2002 with special reference to abs mechanism and formation of BMC on 04th November at the office of Tamil Nadu Biodiversity Board, Chennai. Besides, the Nepal delegates undertook a field visit to Tiruporur Biodiversity Management Committee (village level governance) and Irular community.

5. Orientation-cum-Awareness and implementation of ABS regulations in agricultural research: The National Academy of Agricultural Research Management (NAARM), Hyderabad organized two day “*Management Development Program (MDP) on Orientation-cum-Awareness and implementation of ABS regulations in agricultural research*” on 22nd & 23rd January 2020 at ICAR-NAARM, Hyderabad. The Technical Officer (Benefit Sharing), NBA participated in the workshop and made presentation on “*ABS implementation process, status and challenges with reference to agricultural research in India*”.

6. Consultation meet on Digital Sequence Information: Pursuant to the decision adopted in the Meeting of the Conference of Parties (COP-14), CBD secretariat invited parties to report on how domestic measures address benefit-sharing (ABS) arising from commercial and non-commercial use of digital sequence information (“DSI”) on genetic resources and address the use of “DSI” for research and development. Towards this, MoEFCC, NBA and UNDP have jointly convened consultation meet on Digital Sequence Information with Ministries / departments, organizations and experts on 30th July, 2019 at MOEFCC, New Delhi to understand the landscape of work on DSI undertaken in the country. In continuation, a second consultation meeting with stakeholders concerned like industries, departments and individual experts was organized by the NBA in partnership with UNDP India and Biotech Consortium India Limited (BCIL) on 14th February, 2020 at the UNDP, New Delhi.

7. 13th Conference of the Parties to the Convention on the conservation of Migratory Species of wild animals (CMS COP 13):

The Convention on Migratory Species (CMS), also known as the Bonn Convention, aims at conserving terrestrial, aquatic and avian migratory species throughout their range. India hosted the 13th Conference of the Parties to the Convention on the conservation of Migratory Species of wild animals (CMS COP 13) in Gandhinagar, Gujarat from 15th to 22nd February, 2020.

The side event on “*Innovative approaches to achieve Aichi Biodiversity Target 11*” has been organized jointly by CBD, MoEFCC, NBA and UNDP on 17th February

2020. Hon'ble Minister for Environment, Forests and Climate Change Shri Prakash Javadekar; Ms Elizabeth Maruma Mrema, Acting Executive Secretary of CBD, Dr Uma Devi, IFS, Additional Secretary, MoEFCC, Dr. Sujit Kumar Bajpayee, Joint secretary, MOEFCC, officials from NBA / State Biodiversity Boards and delegates from other countries have graced the occasion.

Decision: The information submitted in this regard was noted.

Action: NIL

55.21: Any other item (s) with the permission of the Chair

55.21.1: To consider Proceedings of the 59th meeting of the Expert Committee on Access and Benefit Sharing held on 05th - 06th March, 2020
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The 59th meeting of the Expert Committee on Access and Benefit Sharing (EC on ABS) was held on 5th & 6th March 2020 at the National Biodiversity Authority, Chennai. A total of 286 applications were placed before the EC for examination.

2. Pursuant to the decision taken in the 44th Authority meeting, 166 Form-III applications, 19 Form-I applications and 7 Form-II applications were recommended for approval by the EC on ABS are being cleared by NBA Secretariat by sending draft agreements to the applicant for execution.

3. Further, the EC considered 75 applications under OM issued by the MOEFCC and to convey the decision of EC for 11 applications to the applicants.

Decision:

(a) The Authority approved the recommendations of the 59th EC on ABS.

(b) The Authority ratified the action taken on the 192 applications.

(c) The Authority considered the timeline for levying higher percentage of the benefit sharing on the OM cases and agreed that higher percentage of benefit sharing to be levied from the date of commercial activities and for the same

activities in future, higher percentage to be levied for the period five years and may be renewed, as appropriate.

- (d) It was noted that eight applicants (Appl.no.3495, 3595, 3542, 3560, 3562, 3476, 3554, 3688) contravened the provision of the BD Act and Authority decided to take appropriate action against the applicant.

Action: Secretary

55.21.2: To expand the scope of the NBA-UNDP Biodiversity Samrakshan Internship Programme

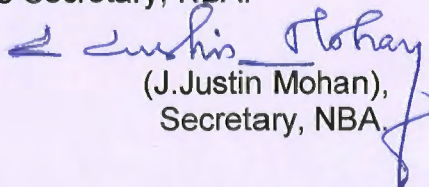
The National Biodiversity Authority and United Nations Development Programme have jointly launched 'Biodiversity Samrakshan Internship Programme during the foundation day celebration of NBA on 1st October 2019. The objective of this program is to attract dynamic and creative youngsters, who are willing to learn about natural resource management and biodiversity conservation and to engage them in the activities of NBA and UNDP. Eleven interns have now been selected through a competitive process.

2. Considering the utility of this program, it is proposed to expand its scope and provide of such interns, at least 50%, to the SBBs/UT-Biodiversity Council, NBA and MoEFCC. A total of 20 interns are proposed to be engaged in 2020-2021 at a total cost of Rs. 84 Lakhs. Efforts to be made to raise additional resources from agencies such as UNDP to engage more interns to work with all SBBs.

Decision: Members agreed to the proposal of expanding the scope of the NBA-UNDP Biodiversity Samrakshan Internship Programme by engaging interns and placing them in the SBBs/UTs, NBA & MoEFCC.

Action: Secretary

The meeting ended with vote of thanks by the Secretary, NBA.


(J. Justin Mohan),
Secretary, NBA

ANNEXURE-1

List of Participants

Official Members

1. Dr V.B. Mathur

Chairperson,
National Biodiversity Authority, Chennai

2. Dr. Sujit Kumar Bajpayee

Joint Secretary,
Ministry of Environment, Forest and
Climate Change, Government of India,
Second Floor, Indira Paryavaran Bhawan,
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3. Dr.J.L.N. Shastri

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Department of AYUSH,
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4.Dr. Bharati

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5. Dr. Manoj Kumar Modi

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6 .Dr. Atmanand

Director
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Ministry of Earth Sciences
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Non-Official Members

7. Dr. Yogesh Shouche

Senior Microbiologist,
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Department of Biotechnology Lab,
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University Road, Ganeshkhind,
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8. Dr. Dinesh Misra,

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9. Dr. Darshan Shankar,

Chancellor,
Trans Disciplinary University, C/o Foundation for
Revitalization of Local Health Traditions
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10. Dr. Parimal Bhattacharjee

Professor & Head,
Department of Zoology,
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Guwahati-781011

11. Dr. N. Saravanan

CMLRE
Ministry of Earth Sciences,
Kochi

Secretary to the Authority

Shri. J. Justin Mohan, IFS

Secretary, National Biodiversity Authority,
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