



PROCEEDINGS OF THE 67th AUTHORITY MEETING

24th March 2023

Venue: Indus Hall, Indira Paryavaran Bhavan,

Ministry of Environment Forest and Climate Change, New Delhi

National Biodiversity Authority

MoEFCC

Chennai

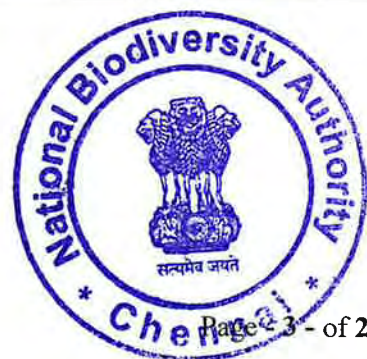


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Proceedings of the 67th Authority Meeting of the National Biodiversity Authority, held on 24th March, 2023

The 67th Authority meeting of the National Biodiversity Authority (NBA) was held on 24th March, 2023 at the Indus Hall of Ministry of Environment, Forest and Climate Change (MoEFCC), Indira Paryavaran Bhawan, New Delhi under the Chairmanship of Shri. C. Achalender Reddy, IFS (Retd.) Chairman, National Biodiversity Authority. The list of participants is given in the **Annexure-I**.

At the outset, Dr. B. Balaji, Secretary NBA welcomed the Chairman, and Members of NBA present both in-person and virtually for the meeting. The Authority members welcomed the new incumbents i.e. Chairperson and Secretary, NBA. The members placed on record their appreciation for the previous Chairperson Dr. V.B. Mathur and Shri. J. Justin Mohan, IFS, Secretary, NBA for their contribution to the organization and in implementation of the Biological Diversity Act, 2002.

Thereafter, the following agenda items were placed before the Authority for deliberation and consideration-

67.01: Approval of the Proceedings of the 66th Authority meeting

The draft Proceedings of the 66th meeting of the National Biodiversity Authority held on 17th August, 2022 at MoEFCC, New Delhi and 26th August, 2022 online at NBA, Chennai were circulated to the members for seeking their comments and there were no comments received from the members. The members unanimously agreed for approving the Proceedings of the 66th Authority meeting.

Decision: The Proceedings of the 66th Authority Meeting were approved.

67.02 Action Taken Report of the 66th Authority Meeting

The Secretary, NBA apprised the members on the follow up action taken on the decisions taken in the 66th Authority Meeting.



2. With respect to Agenda 66.02 on “signing of Memorandum of Understanding (MoU) between NBA and Anna University”, Dr. Unnat Pandit said that the MoU may be legally vetted by the MoEFCC before execution. He further said that certain suggestions made in clauses earlier may be incorporated before going for legal vetting. Dr. Ramanamurthy expressed his support to NBA in the process of acquiring its own land. The members also opined that the NBA may explore purchasing land to construct the building.

3. With respect to 66.12, i.e., “the proposal on the revised Biodiversity Heritage Sites Guidelines” the members reiterated their approval of the same. They also said that after the Biological Diversity Amendment Bill is passed, if any minor changes are to be incorporated in the guidelines, same may be done and submitted to States and UTs. Chairman, NBA informed the authority that an Expert Committee (EC) constituted by NBA vide No NBA/Tech/EC/9/14/35/19/22-23/4506 dated 22.03.2023 will be preparing model rules for management and conservation of Biodiversity Heritage Sites. Dr. Unnat Pandit suggested that while framing Rules, Geographical Indications may also be included if present in that area. He further suggested that MoEFCC may be requested to launch specific schemes to manage the Biodiversity Heritage Sites at least for an initial period of three years. Dr. Chaitra opined that the Rules should be very flexible to cover different landscapes and conservation areas in the country. Chairman, NBA assured that as the EC is having members from different fields with vast experience, these issues will be taken care off.

Decisions: a. The Expert Committee constituted recently will frame the Rules for the management and conservation of Biodiversity Heritage Sites as per the provisions of the Section 37(2) of the BD Act.

b. Members approved the actions taken on the decisions of the 66th Authority meeting.

67.03: Access and Benefit Sharing (ABS) applications dealt by the Secretariat

Authority in its 54th meeting, vide Agenda no. 54.20.03, considered the recommendation of the EC on ABS that NBA Secretariat may deal the applications based on the set precedence. Accordingly, Chairman, NBA vide O/o dated 19.3.20



issued an order for processing ABS applications by the NBA without referring to EC on ABS. However, in case of any contravention/ difficulty, such cases alone may be placed in the EC on ABS for examination.

Accordingly, the NBA Secretariat has sent 366 draft agreements to applicants (Form I- 41, Form II- 1, Form III- 32) for execution, 425 agreements were executed (Form I- 76, Form II- 4, Form III- 385) and closed 124 applications (Form I- 19, Form II- 1, Form III- 104 between August 2022 to December 2022.

Decision: The applications processed and agreements executed by the NBA Secretariat were ratified by the Authority.

Action: NBA Secretariat

67.04. To consider enhancement of financial support to State Biodiversity Boards (SBB)/Union Territory Biodiversity Councils (UTBCs) for outsourcing of contractual employees

The NBA supports SBBs and UTBCs by providing financial assistance under various components for undertaking mandatory works in implementing the Biological Diversity Act at the State/UT level. This financial support is extended based on the proposals received from the SBBs/ UTBCs during each financial year within the available grant of NBA. Presently, the primary focus of the SBBs and UTBCs are on strengthening the BMCs and making them functional. This will contribute to documentation of quality People's Biodiversity Registers (PBR) and implementation of ABS mechanism at the grass root level. In compliance to the order passed by Hon'ble National Green Tribunal (NGT), a good number of PBRs have been prepared on a fast track mode, which needs quality improvement. In view of the above, the 61st Authority *vide* Agenda 61.07 enhanced the grant for engaging contractual staff at SBBs/ UTBCs from Rs. 11.5 lakhs to Rs. 13.5 lakhs.

2. Secretary, NBA informed that during the financial year 2022-23, the NBA had received request from more than 10 SBBs for financial grant of more than Rs.13.5 lakhs under "engaging staff" at SBBs/ UTBCs grant. In this regard, it is proposed that enhancement by Rs. 1.00 Lakh may be considered. The members agreed for the enhancement of financial assistance for engaging outsource/contractual staff from Rs.13.5 lakhs per annum to Rs. 14.5 lakhs per annum.

3. The Authority members, especially non official expert members were



requested to visit the nearby State Biodiversity Boards after taking prior approval of Chairman, NBA to sensitize them about the implementation of the Biological Diversity Act, 2002. To this, Dr. Alka Rao mentioned that she had visited Chandigarh State Biodiversity Board and assessed the functioning and found that it is doing well. She further suggested that there must be good competition between SBBs and UTBCs for performing better.

Decision: a. The Authority members approved the enhancement of financial assistance from Rs.13.5 lakhs per annum to Rs. 14.5 lakhs per annum for engaging outsourced/ contractual staff at SBBs/ UTBCs

Action: NBA Secretariat

67.05 To consider amending the guidelines for providing financial assistance towards training and capacity building of Biodiversity Management Committees (BMCs); and preparation and upgradation of PBR

The NBA supports SBBs and UTBCs by providing Financial Assistance (FA) towards various components for undertaking mandatory works in implementing the Biological Diversity Act at the State /UT level. The States and UTs have so far been following a standard guidelines issued by the NBA (*Guidelines for Operationalization of BMCs, 2013*) while seeking FA for various components. Since most of the SBBs and UTBCs have accomplished the task of establishment of BMCs and documentation of PBRs owing to the active participation by Panchayati Raj and Rural Development department, the 61st Authority had suggested NBA to provide financial support for strengthening and capacity building of the BMCs and updating of the PBRs. In this regard, a sum of Rs. 10,00,000/- is released per annum to support SBB/UTBC for each of the above two mentioned components.

2. In view of this decision, Secretary, NBA informed that the guidelines for providing FA may be framed to distribute the grant in an appropriate manner for strengthening of BMCs and for quality improvement of PBRs. He further mentioned that out of the 2,77,223 BMCs constituted, 91.60% are at the village level. In this regard, the operationalization of village level BMCs needs to be prioritised and any State/UT may take up capacity building programs for 100 BMCs and enhance the quality of the PBRs in the respective BMCs.

3. It was informed that the BMC may develop the local level biodiversity strategy



and action plan by drawing strength from the PBR document and the members agreed to this proposal.

Decision: The members approved the following guidelines for allocation of funds to BMCs through SBBs/UTBCs

Sl. No	Item	Amount (Rs.)
Amount apportioned for one BMC (village level)		20,000.00
1	Strengthening of BMC and Preparation of BMC Action plan /Local level Biodiversity Strategy and Action Plan	10,000.00
2.	Upgradation of PBR (village level)	10,000.00
Total amount apportioned (for 100 BMCs) for each SBB/UTBC		20,00,000.00

Action: NBA Secretariat

67.06 To consider engagement of individual experts/subject matter specialists/ Professionals on various subjects including Marketing of Bio products and Value Added Products (VAP), Banking, Financing, and growing bio resources for discussion/preparation of Detailed Project Reports/working papers/concept papers by NBA on a 'work day' basis or for a short period of up to 3 months.

Chairman, NBA informed the members that there is a need to engage Experts / Subject matter specialists on various subjects, persons having hands-on experience to be utilized for various purposes including Marketing of Bio products, Value Added Products, in the field of growing organic bio resources, Banking, Financing, planning and organizing meetings/ conferences, human resource management etc. for specific duration i.e. from a few days in a month to not more than 3 months continuously as per the need with specific terms of reference. The members also deliberated that if needed the Experts / Subject matter specialists may be engaged on work days basis of not more than 30 work days continuously at a time for which fees of Rs. 4,000/- per work day (Upper limit) will be paid or he/she may be engaged continuously up to 3 months (Upper limit) for which monthly remuneration will be paid after negotiation and fixation. The upper limit in case of engaging continuously for 3 months will be Rs. 1.20 lakhs per month. They shall be provided with boarding, lodging, local transport and airfare on par with the expert committee members as per requirement. The selection is based on individual's track record, expertise, experience in the given field or subject.

Decision: a. The members approved the proposal of engaging of Experts / Subject



matter specialists on various subjects for specific duration (from a few days in a month to not more than 3 months continuously (upper limit)) as per the need with specific terms of reference or on work days basis of not more than 30 work days (continuously) each time for which fees is Rs. 4,000/- per work day (Upper limit) may be paid.

b. This is in addition to boarding, lodging, local transport and airfare on par with the members of other expert committees. At the discretion of NBA, the experts may work from their homes also. In other words fees of less than Rs. 4,000/- per work day may also be paid depending on the context i.e. subject area, depth of knowledge required and track record.

Action: NBA Secretariat

67.07 To consider the invitation to partner with the National Coordination Centre for Access to Genetic Resources and Benefit Sharing (NCC-ABS) on developing an electronic system for access to genetic resources and benefit sharing in the Republic of Belarus

Secretary, NBA informed that the Republic of Belarus, also a signatory to the Access and Benefit Sharing mechanism in accordance with the Nagoya Protocol to the Convention on Biological Diversity came forward and expressed their willingness to participate in the mutual implementation of projects in the field of Science and Technology. He further informed that NCC-ABS of the Republic of Belarus is interested in developing an electronic system for access to genetic resources and benefit sharing in the Republic of Belarus similar to ABS e- filing developed by NBA, India.

In this regard, the members were informed that National Academy of Sciences of Belarus would like to partner with NBA to develop a project proposal for the ABS e- filing portal in Belarus. The members opined that this can be done after a tripartite agreement has been executed between the NCC-ABS, Republic of Belarus and MoEFCC, GoI and NBA, India as appropriate.

Decision: The members approved the proposal for collaboration between NBA and Republic of Belarus in developing an electronic system for access to genetic resources and benefit sharing after an agreement has been executed between the concerned agency of Republic of Belarus and MoEFCC, GoI. Alternatively, the



MoEFCC, GoI may authorize NBA to enter into an agreement with the concerned agency of Republic of Belarus.

Action: NBA Secretariat

67.08 To consider organizing an “International Conference on Red Sanders (RS) and Biodiversity of Eastern Ghats” at Tirupati, Andhra Pradesh.

Chairman, NBA apprised the members of the Authority that Red Sanders (*Pterocarpus santalinus*) is an endemic species of South Eastern Ghats of India and has high commercial value in domestic and international markets. It is endemic to Kadapa, Proddatur, Rajampet, Nellore, Tirupathi (WLM), Chittoor (East), Giddalur, Markapur and Nandya/ Forest Divisions falling in five districts viz, Kadapa, Nellore, Chittoor, Prakasam and Kurnool in Andhra Pradesh.

2. He further mentioned that in accordance with the powers conferred under section 64 of the Biological Diversity Act, 2002 read with Regulation 3 (3) of the Access and Benefit Sharing Guidelines, 2014, five percent (5%) of the sale amount of Red Sanders has to be deposited with the National Biodiversity Authority /State Biodiversity Boards as benefit sharing by the successful bidders/purchaser before accessing the Red Sanders. In this regard, NBA has accrued an amount of Rs.103.43 crores till date which includes Rs.3.25 crores accrued from cultivated source.

3. Members were informed that an Expert Committee (EC) constituted in this regard developed a comprehensive policy for conservation, sustainable use and fair and equitable sharing of benefits arising from utilization of Red Sanders under the Biological Diversity Act, 2002. The EC recommended allocation of the benefit sharing amount accrued to the stakeholders and also mentioned about the modalities for utilization of the BS amount by the NBA/SBB/BMC. In this regard, certain amount of the benefit sharing accrued from sale of Red Sanders may be utilized for International cooperation on RS, Conservation and Protection, Research by NBA establishing greater cooperation between national level agencies such as State Forest Departments, Customs, Directorate General of Foreign Trade (DGFT), MoEFCC, Wildlife Crime Control Bureau on RS Issues and organizing an International workshop at Tirupati, a natural habitat of Red Sanders.

4. In this regard, the members deliberated on organizing an International workshop inviting Researchers, Scientists, Experts, Professionals, Foresters, Police



officials, DGFT officials, Customs officials, BMCs, Farmers, Members of NBA, international traders, importers (foreigners) of Red Sanders, private parties, SBBs, former Chairpersons, Former Secretaries of NBA, former and serving Civil Servants, former and Senior Bankers, Agriculture/Horticulture officials, Non-Government Organizations (NGOs), Krishi/Van Vignan Kendras, Farmers associations, Farmer Producer Organizations (FPOs) / Farmers' Producer Companies (FPCs) etc.

5. Dr. Chaitra deliberated that the conference/workshop should focus on protection and conservation of Red Sanders, streamlining of the permission process/procedure for Red Sanders especially grown on private lands by the farmers etc. and various other aspects.

6. Dr. Joykumar Laishram suggested that such conferences may also be organized in North-east India as it is a biodiversity rich region. Dr. Unnat Pandit endorsed the views and also suggested that a calendar may be developed by NBA for organizing such thematic conferences or awareness programs all over India as an NBA initiative.

Decision: The members approved the proposal of organizing an International conference/workshop on Red Sanders at Tirupati, Andhra Pradesh.

Action: NBA Secretariat

67.09 Ratification of decisions on Form-B applications

The Members were informed that according to Regulation 13(3) of the Guidelines on Access to Biological Resources and associated knowledge and benefits sharing Regulations, 2014, NBA has to accord approval within a period of 45 days for Form-B applications received from Indian researcher/ Government institution who intends to carry/ send the biological resources outside India to undertake basic research or carry out certain urgent studies to avert emergencies like epidemics, etc.

2. In this regard, the 32nd Authority meeting vide Agenda No, 32.06 had decided the following:

- 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, the Chairperson, NBA granted approval to 08 applications and closed 03 applications of Form-B.

Decision: The Authority considered and ratified the decisions taken on the **11** Form-B applications.

67.10 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 intends 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. NBA has received 282 intimations since March 2016 – July 2022 and the same have been reported to the Authority from time to time. Since August 2022, the Secretariat has received **01** Form-C application.

Decision: The information submitted in this regard was ratified by the Authority.

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

The applications for seeking approval for accessing the Red Sanders wood were scrutinized as per the procedure approved by the Authority in its 32nd (32.07) & 35th (35.03 & 35.19.01) meeting. In the 32nd Authority meeting (32.07), the Authority authorized the Chairman, NBA to accord approval to such applications without following the normal procedure of placing it before EC and then to Authority and also directed the NBA Secretariat to place such approvals in the subsequent Authority meeting for ratification. Accordingly, the Chairperson, NBA approved **Six (6)** applications.



Decision: The Authority members considered and ratified the decisions taken on the Six (6) Red Sanders applications.

67.12 Audit Report for the year 2021 - 22

Certification of Annual Accounts of National Biodiversity Authority for the period 2021 - 22 was conducted by the Office of Comptroller and Auditor General of India (Scientific Depts.) during July, 2022. Separate Audit Report on the Accounts of NBA for the FY 2021 – 22 dated 30.9.2022 has been received and the same was placed before the Authority.

Decision: The information submitted in this regard was accepted by the Authority.

67.13 Items for information

1. Shri C. Achalender Reddy, IFS (Retd.) Chairman, NBA and Shri J Justin Mohan, IFS, Former Secretary, NBA attended the 15th Conference of Parties to the Convention on Biological Diversity and 4th Meeting of the Parties to the Nagoya Protocol during December 2022 at Montreal, Canada. Both have actively participated and contributed to the negotiations such as Post 2020 Global Biodiversity Framework, Digital Sequence Information, and implementation of the Nagoya Protocol with special reference to monitoring.

Decision: The information submitted in this regard was noted

2. A new Indo-German technical cooperation project is now being developed jointly by Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ), NBA and MoEFCC, aimed at supporting the development of a national electronic-PBR (e-PBR) framework. To move forward, the NBA had two meetings with GIZ team on 04.01.23 and 20.01.23. The later one was held in Chennai wherein senior officials of National Informatics Centre (NIC) and Centre for Development of Advanced Computing (C-DAC) also participated and shared their ideas on the development of the proposal. As the e-PBR software has already been awarded to the NIC, Chennai under the United Nations Environment Programme Global Environment Facility (UNEP-GEF) project during 2019, the proposed Indo-German project would be upscaling the present project under development by the NIC and also development



of other applications for the use of BMCs and SBBs for effective implementation of the Biological Diversity Act.

Decision: The information submitted in this regard was noted

3. NBA organized a training program to 45 Range Officers of Uttar Pradesh cadre, came from Himachal Pradesh Forest Academy on 18.01.23. Shri C. Achalender Reddy, IFS.,(Retd.), Chairperson, NBA delivered a special address and interacted with the Officers on biodiversity governance. Technical Officer (Benefit Sharing) gave a talk on Implementation of Biological Diversity Act 2002 with case studies.

Decision: The information submitted in this regard was noted

4. Shri C. Achalender Reddy, Chairman, NBA gave a talk on "Biodiversity Conservation - Challenges and Issues" and "Kunming-Montreal Declaration on Global Biodiversity Framework" to the senior scientists of MoEFCC who were under two week training and capacity building programme at EPTRI, Hyderabad. He also chaired the valedictory programme on 13.01.23. Smt R. Sobha, IFS (R), Advisor to the Government of Telangana, Smt. A. Vani Prasad, IAS, Principal Secretary to Government and Director General, EPTRI also took part in the event.

Decision: The information submitted in this regard was noted

5. Dr. B. Balaji, IFS, Secretary NBA attended the 5th Inter- Governmental Conference on United Nations Conference on Law of the Sea - Biodiversity Beyond National Jurisdiction as a member of the Indian delegation. The 5th IGC culminated with Draft agreement text which was agreed in principle by the delegations.

Decision: The information submitted in this regard was noted

6. **National Mission on Biodiversity and Human Well-being (NMB&HW)** is one of the nine Missions that come under Prime Minister's Science, Technology, and Innovation Advisory Council (PM-STIAC). The MoEFCC and NBA have been assigned the responsibility for the National Biodiversity Mission with technical inputs from Ashoka Trust for Research in Ecology and the Environment (ATREE) and



Biodiversity Collaborative, a Bengaluru based NGO. The major outcomes of the Mission would be for India to strengthen its position as a global knowledge power in biodiversity science linked to societal welfare; Institutions can produce competent professionals & centres of excellence to address problems at the interface of sustainability, development of society and enhanced knowledge about India's natural assets used to inform policies for development, employment generation and promotion of human well-being. The Ministry of Finance has given its in-principle approval for the Mission in October 2021. Shri. C. Achalender Reddy, Chairman, NBA and Senior Officers of MoEFCC attended the discussion meeting held on 05.12.2022. It was decided that small group can be constituted to prepare the modified mission documents; MoEFCC to complete the gap analysis and mapping the possible synergy areas within three months; and the EFC and DPR to be prepared by MoEFCC and NBA for the period of five years indicating the year wise activity planned and milestones along with societal benefits achieved. Subsequently, the 22nd Meeting of PM-STIAC was held on 19.01.23, in which the progress made on the decision taken on the previous meeting was presented. In the meantime, the MoEFCC constituted a working group vide Office Order F.NO.C-12027/15/18-CS-III dated 12.01.23 under the chairmanship of Shri C. Achalender Reddy, Chairman, NBA to undertake the above said activities. The committee held 2-3 meetings and prepared a draft document incorporating suggestions of Principal Scientific Advisor to the Prime Minister Office. The draft is circulated among members for further improving the text.

Decision: The information submitted in this regard was noted by the authority.

67.14 To consider the Proceedings of the 68th meeting of the Expert Committee on Access and Benefit Sharing (EC on ABS) held on 18th March 2023

Secretary, NBA informed that the 68th meeting of the Expert Committee on Access and Benefit Sharing (ABS) was held on 18.03.2023. A total of 54 applications received by NBA for approval which required expert opinion were placed before the Expert Committee for deciding on the Access and Benefit Sharing amount. He further explained that ten (10) of these applications were Form I, and



forty-four (44) applications were Form III.

2. Chairman, NBA and the members deliberated on the Agenda No. 68.01 of the 68th EC on ABS and sub-committee report on the distribution of ABS amount of Red Sanders from cultivated sources. The Chairman, NBA explained to the members that as per the provisions of the Biological Diversity Act, 2002 and ABS Regulations, 2014, successful buyers of Red Sanders wood are required to seek prior approval from the National Biodiversity Authority for accessing the biological resource and have to deposit 5% of auctioned amount as benefit-sharing amount with NBA before lifting the Red sanders from the site. He informed that the 66th EC on ABS and an earlier EC formed exclusively to suggest Comprehensive Policy for Red Sanders differed in their suggestions with respect to sharing of ABS accrued from access to Red Sanders from farmers/ private plantations.

3. The 66th EC in its agenda item No. 66.10 recommended that:

“(a) ABS funds received by NBA on account of cultivated Red sanders wood can be distributed to the concerned BMCs through State Biodiversity Board for conservation, protection and sustainable use of Red Sanders.

“(b) The fund can be utilized by the BMC for conservation of biological resources and for undertaking socioeconomic development activities of that area”

4. The previous Expert Committee constituted exclusively on Red Sanders for protection, conservation, and sustainable use of Red Sanders recommended that 95% of the accrued ABS amount should be distributed to the Farmer / Private plantations and the remaining 5% should be retained by NBA was approved by the Authority in its 41st Meeting vide Agenda item No.41.07.

5. As there were divergent recommendations from different Expert Committees, a proposal for mid-way approach was placed under Agenda 68.01 in the 68th EC on ABS. The EC formed a sub-committee to examine and analyse the issue and submitted a report which is as follows:

Table I Identified source (farmers/ private plantations)		
Percentage of Share	Beneficiary	Purpose
70%	Farmers/ cultivator via Direct Benefit Transfer	At least a minimum of 1ha RS plantation to be raised/Nursery of RS for distribution of seedlings to other farmers
15%	BMC	Plantation and maintaining the Red Sanders including Trees Outside Forest.



10%	SBB	<p>a) Raising seedlings/ plantations in co-operation with Forest Department including Trees Outside Forest.</p> <p>b) Any conservation, sustainable utilization of Red Sanders including improved techniques for cultivation of Red Sanders.</p> <p>c) support forest department in protection and conservation of Red Sanders growing areas including utilization of modern methods, tools and techniques.</p> <p>d) Strengthening of BMCs and updation of Peoples Biodiversity Registers in Red Sanders growing areas.</p> <p>e) Awareness creation on conservation of Red Sanders.</p>
5%	NBA	<p>a) Support projects relating to conservation, sustainable use of Red Sanders; improved techniques for cultivation of Red Sanders.</p> <p>b) Training and capacity building on conservation of Red Sanders.</p> <p>c) Conservation of Threatened species in the Country / Taxonomic Research</p>

Table II. In case of unidentified source (farmers/ private plantations)

75%	NBA	<p>a) Conservation, sustainable use of Red Sanders; improved techniques for cultivation of Red Sanders.</p> <p>b) Training and capacity building on conservation and sustainable use of Red Sanders.</p> <p>a) Alternative self-employment for the protection of Red Sanders.</p> <p>d) Conservation of threatened species in the Country / Taxonomy Research</p>
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15%	BMC	a) Plantation and maintaining the Red Sanders including in the community land; b) Creating community infrastructure / assets.
10%	SBB	Raising seedlings / plantations in cooperation with Forest Department, Awareness creation on the importance and conservation of Red Sanders.

6. It was discussed that the category of unidentified source of cultivated Red Sanders (mentioned in Table II above) may not be entertained by NBA without thorough scrutiny of the applications as and when supported by the State Forest Departments/concerned agencies.

7. Dr. Alka Rao explained the importance of the roles to be played by the BMCs and SBB in conserving Red Sanders which is a national bio resource and is an endemic species. She further explained that as Red Sanders is an important national resource, conservation should be taken up not only by farmers but also by BMCs, SBBs, Forest Department, National Biodiversity Authority. Accordingly, certain percentage of ABS should be earmarked to these agencies for conservation and sustainable utilization of Red Sanders. She opined that this may be dealt on case to case basis and will also in turn strengthen the SBB and BMCs.

8. Chairman, NBA added that the Gol policy of exporting Red Sanders from seized as well as from Patta land will reduce demand- supply gap and can bring down smuggling from wild. He further mentioned that such incentives will make the ABS mechanism popular and will create awareness among the stakeholders. Dr. Dubey added that such distribution of the ABS amount is a good initiative by NBA.

9. The members, after prolonged deliberations weighing various options agreed that the ABS amount accrued from accessing Red Sanders from the farmers' land/ Patta land other than seized and Auctioned shall be distributed in the proportion of 75% to the farmers, 10% to BMCs, 10% to SBBs and 5% to NBA. Dr. Unnat Pandit reiterated that the transfer of this amount should be made through Direct Beneficiary Transfer (DBT) to the farmers/ owners of the Patta land.

10. The members deliberated on the Agenda No.68.02 of the 68th EC on ABS and mentioned that NBA shall obtain an affidavit from the M/s. East West



Seeds and M/s. Monsanto applicants regarding the list of bio resources used in the research that includes details of the varieties, place of access, quantity etc. The members also opined that the list of bio-resources accessed by the applicants may be shared with NBPGR for their comments and inputs about parental and segregated lines. The applications may be placed before the Authority after receiving the required documents as well as inputs from NBPGR.

11. The members deliberated on the Agenda No.68.03 of the 68th EC on ABS and mentioned that NBA shall ask for an affidavit from M/s. Syngenta on the quantity of bio resources used for research. The ABS can then be calculated as agreed by 68th EC on the agenda.

12. Secretary, NBA further explained that few applications had list of chemicals/ synthetic bio resources such as curcumin, sucrose etc. that were procured from different companies/open market and were used in the invention/ research/ for commercial utilization. The agencies are claiming that since it is a chemical and not bio-resource, it will not come under the purview of the BD Act. This was deliberated in the 68th EC on ABS and it was suggested to form a sub-committee to develop a list of synthetic bio-resources that may be considered appropriately by NBA. The sub-committee report shall be placed in the next Authority meeting for consideration.

Decisions: a. The members approved the distribution of the ABS amount accrued from accessing Red Sanders in the following proportion:

Table I Identified source (farmers/ private plantations)		
Percentage of Share	Beneficiary	Purpose
75%	Farmers/ cultivator via Direct Benefit Transfer	For improving his socio-economic condition and raise Red Sanders trees.
10%	BMC	Promote planting of Red Sanders in private areas and trees outside forest area (ToF) and to meet administrative costs of BMCs
10%	SBB	a) Raising and supplying of seedlings of Red Sanders to public/farmers in collaboration with Governmental agencies like Forest Department etc. and NGOs freely including transport. b) Any conservation, sustainable utilization of



		<p>Red Sanders including improved techniques for cultivation of Red Sanders through Universities/ Research Institutions.</p> <p>c) Strengthening of BMCs and updation of Peoples Biodiversity Registers in Red Sanders growing areas.</p> <p>d) To meet administrative costs of SBBs</p> <p>e) Awareness creation on conservation of Red Sanders.</p>
5%	NBA	<p>a) Monitoring of the activities in the field for which mobility of the NBA personnel and expert committee members to be enhanced in the difficult terrain of forest areas. Therefore, a 4 wheel drive vehicle may be procured to visit the naturally growing Red Sanders areas that are reachable within 6-8hrs from Chennai. If required ABS amount accrued from auction of seized timber will be utilized to procure 4 wheel drive vehicle</p> <p>b) Conducting workshops, Training and capacity building on management of Red Sanders and other economically important trees</p> <p>c) Facilitation of exchange/supply of Red Sanders and other Threatened and high economic value species at the cost of NBA throughout the country. This includes cost of seedlings and transportation to the farmer's fields.</p>

Table II. In case of unidentified source (farmers/ private plantations)

75%	NBA	<p>a) Conducting workshops, Training and capacity building on management of Red Sanders.</p> <p>b) Facilitation of exchange/supply of Red Sanders and other Threatened and high economic value species at the cost of NBA throughout the country. This includes cost of seedlings and transportation.</p> <p>c) Alternative self-employment for the protection of Red Sanders.</p>
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15%	BMC	a) Promote planting of Red Sanders in private areas b) Creating community infrastructure / assets.
10%	SBB	a) Raising and supplying of seedlings of Red Sanders to public/farmers in collaboration with Governmental agencies like Forest Department etc. and NGOs freely including transport. b) Any conservation, sustainable utilization of Red Sanders including improved techniques for cultivation of Red Sanders through Universities/ Research Institutions. c) Strengthening of BMCs and updation of Peoples Biodiversity Registers in Red Sanders growing areas. d) Awareness creation on conservation of Red Sanders.

b. NBA shall obtain an affidavit from the M/s. East West Seeds and M/s. Monsanto stating the list of bio resources used in the research that includes details of the varieties, place of access, quantity, information about parental and segregated lines etc.

c. NBA shall share the list of bio-resources accessed by the M/s. East West and M/s. Monsanto applicants with NBPGR for their comments and inputs.

d. NBA shall obtain an affidavit from M/s. Syngenta on the quantity of bio resources used for research. On receipt, the upfront fee may be calculated as agreed by 68th EC on ABS.

e. The Authority approved the recommendations of the 68th EC on ABS excluding Agenda 68.01 and 68.02.

Action: NBA Secretariat

67.15 To consider the Relaxation/Modification in qualification/work experience requirements for vacant position of Technical Officer (Intellectual Property Rights) in NBA

Secretary, NBA informed that the essential qualification and experience required for the post of TO(IPR) as per the existing Recruitment Rules was placed as



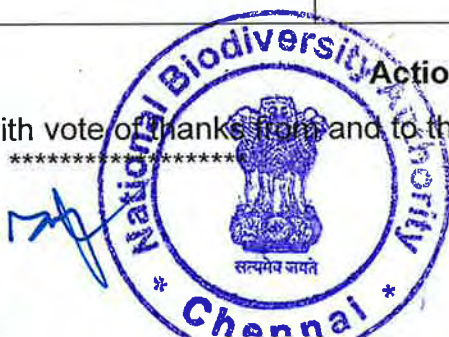
Agenda No. 66.14 in the 66th Authority meeting to revise the Educational Qualifications and Work Experience to the post of Technical Officer in order to expand the scope of obtaining candidates with better skill sets and to function effectively based on knowledge and experience in handling IPR related matters. The 66th Authority approved and endorsed the proposal of amending of the Age, Education Qualifications, Experience for the post of To (IPR) based on Regulation 7 of the Recruitment Rules and to send to MoEFCC.

2. He further informed that accordingly, NBA had written letters dt.10th October 2022, 17th November 2022, 12th January 2023 & 13th February 2023 to the Ministry and is yet to receive consent for the revised proposal. In the meantime, it was observed in the “Terms & Conditions of Desirable” Part (b) that the clause experience is “Two-year experience as a **“Patent Attorney”** in handling matters related to consumer/ patent rights/intellectual property rights” was appropriate and suitable than “experience as a Legal Consultant” as was approved in the 66th Authority meeting. The members agreed to the modification of “Legal Consultant” to “Patent Attorney” in the Terms and Conditions of Desirable of Part (b)

Decision: The members approved the modification proposed as given below:

Age	Educational Experience	Qualifications
30 years	Proposed Revised Modifications in NBA (Recruitment and Conditions of Service of Officer and other employees) Regulations, 2006	
	(a) Essential: Bachelor's Degree in law from a recognized University or Institution or equivalent and working knowledge in Computer Desirable: Master's Degree in Law (or)	Essential: Two-year experience as an Advocate or Legal Consultant dealing with the matters relating to consumer/patent rights/intellectual property rights.
	(b) Essential: Master's degree in Biological/ Life Sciences from a recognized University or Institution or equivalent and cleared the Patent Attorney Examination conducted by the “Office of the Controller General of Patents, Designs & Trade Marks, Government of India” Desirable: A doctorate in Biological / Life Sciences	Desirable: Two-year experience as a Patent Attorney in handling matters related to patent rights / intellectual property rights.

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



Action: NBA Secretariat

Annexure I

List of Members- Participated

Sl No	Chairman of the Authority
1.	Shri. C. Achalender Reddy , IFS (Retd.), Chairman, NBA, Chennai
	Ex officio members
2.	Prof. (Dr.) Tanuja Manoj Nesari , Chief Executive Officer, National Medicinal Plant Board, Ministry of AYUSH, New Delhi. ceo-nmpb@nic.in
3.	Dr. M.V. Ramanamurthy , Mission Director for Deep Ocean Mission, New Delhi mvr@nccr.gov.in
4.	Dr. S C Dubey , ADG (Plant Protection & Biosafety), ICAR, New Delhi sunil.dubey@icar.gov.in
5.	Dr. Manoj Kumar Modi , Scientist F, Department of Biotechnology, New Delhi manoj.modi@nic.in
6.	M. Gunasekaran , Assistant Commissioner (Seeds), Department of Agriculture and Farmers Welfare, New Delhi gunasekaran@nic.in
7.	Dr. Achuta Nand Shukla , Scientist E (CS-III Division), Ministry of Environment, Forest & Climate Change, New Delhi achuta.shukla@gov.in representing MoEFCC.
	Non Official Members
1	Dr. Joykumar Meitei Laishram , Retired Dean, College of Agriculture, Central Agriculture University, Imphal, Manipur jmlaishram@rediffmail.com
2	Dr. Unnat P. Pandit , Controller General of Patents, Designs & Trade Marks (CGPDTM), Mumbai cgooffice-mh@nic.in unnat.pandit@gmail.com ,
3	Dr. Alka Rao , Principal Scientist, CSIR- Institute of Microbial Technology (CSIR-IMTECH), Chandigarh raoalka@imtech.res.in
4	Shri. M.S. Chaitra , Associate Professor, Chanakya University, Bangalore chaitra78@gmail.com , chaitra@cessedu.org
	Secretary to the Authority
	Dr. B. Balaji , IFS, Secretary, NBA, Chennai

Annexure II

Leave of Absence Granted to Official Members

1. **Shri Mr. Satya Prakash Yadav**, Additional Director General of Forests, Ministry of Environment, Forest and Climate Change, New Delhi-110003 adgfc-mef@nic.in
2. **Shri. Naval Jit Kapoor**, Joint Secretary, Ministry of Tribal Affairs, New Delhi, kapoor.naval@gov.in
3. **Dr. Akilesh Gupta**, Senior Advisor, Department of Science and Technology, New Delhi, akhilesh.g@nic.in

डॉ. ब. बालाजी, भा.व.से. / Dr. B. Balaji, IFS.

सचिव / Secretary

राष्ट्रीय वन विज्ञान परिषद

National Biodiversity Authority

भारत सरकार / Govt. of India

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