



सत्यमेव जयते



PROCEEDINGS
70TH AUTHORITY MEETING
(Special Meeting)

29TH JULY 2024

Venue

Eros Hotel, New Delhi

NATIONAL BIODIVERSITY AUTHORITY
Chennai

**Proceedings of the 70th Authority meeting (Special Meeting) held on
29.07.2024**

The 70th Authority meeting (Special meeting) of the National Biodiversity Authority (NBA) was held on 29th July, 2024 at the Eros Hotel, New Delhi, under the Chairmanship of Shri. C. Achalender Reddy, IFS (Retd.) Chairman, National Biodiversity Authority in hybrid mode. The list of participants is given in **Annexure I**.

2. At the outset, Dr. B. Balaji, Secretary NBA welcomed the Chairman, and Members of the NBA present physically in the meeting and those who participated online.

3. In his opening remarks, the Chairperson, NBA, welcomed the members and mentioned that the Biological Diversity (Amendment) Act, 2023 has come into force from 1st April 2024 however amendment to the BD Rules and ABS Regulations as per the Amended Act are yet to be notified. He informed that NBA had received draft revised Biological Diversity Rules, 2024 (BD Rules, 2024) from the MoEFCC for consideration by the NBA. Due to the urgency to submit the revised draft Biological Diversity Rules, 2024 (BD Rules, 2024) to the MoEFCC at the earliest, this Special meeting was convened to consider the draft BD Rules, 2024 based on the recommendation made by the Expert Committee. He further stated that other agenda items are also to be considered by the Authority, of which important agenda items are NBA's Annual Report 2023-24, the Draft National Biodiversity Strategy and Action Plan 2024.

4. Thereafter, the following agenda items were placed before the Authority for deliberations and consideration.

70.02: To consider draft Annual report of NBA for the year 2023-24

Secretary, NBA informed that the draft NBA annual report on the activities and achievements of the NBA for the year 2023-24 has been compiled and is placed before the Authority for consideration. Further, he mentioned that the Audit Report from the C&AG is awaited to be attached to the Annual Report which will then be forwarded to the MoEFCC for placing on the table of the Parliament in both the Houses.

2. In this regard, Dr. Gouri Joshi suggested that the issues and concerns faced by NBA during the year may also be included in the forthcoming NBA Annual Reports.



Decision: a. The Authority approved the draft Annual Report 2023-24 and directed NBA to forward the same to the MoEFCC after incorporating the Audit Report from the C&AG for placing on the table of the Parliament in both the Houses

b. It was decided that the issues and concerns faced by the NBA during the year to be highlighted in the forthcoming Annual Reports of the NBA.

Action: Secretary, NBA

70.03 To consider the Annual Accounts for the year 2023 - 24

Secretary, NBA informed that as per Authority decision taken in the 13th Authority meeting vide Agenda 13.15, in which the Authority decided that “Chairman, NBA is authorized to approve the “Annual Accounts comprising of receipts and payment account, income and expenditure accounts and balance sheet” for the conduct of statutory audit by O/o the Principal Director of Audit (Scientific Departments). Accordingly, the Annual Accounts of NBA for the year 2023- 24 approved by Chairman, NBA has been submitted to Audit and the Annual Accounts for the year 2023 – 24 and the same is placed before the Authority for ratification

Decision: The Authority members ratified the NBA Annual Accounts for the year 2023-24.

Action: Secretary, NBA

70.04 Submission of Draft National Biodiversity Strategy and Action Plan (NBSAP) and Adoption of National Biodiversity Targets (NBTs) in alignment with the Kunming-Montreal Global Biodiversity Framework (KMGBF)

Secretary, NBA informed the members that the Convention on Biological Diversity (CBD) has incorporated two mandatory unqualified obligations i.e., preparation of National Biodiversity Strategy and Action Plan (NBSAP) under Article 6, and National Reports under Article 26. NBASP is the main instrument for implementing the Convention at the National Level.

2. He further informed that following the adoption of the Kunming-Montreal Global Biodiversity Framework (KMGBF) at the COP-15 of the CBD, MoEFCC, in collaboration with the NBA and UNDP under the GEF-Early Action Support, updated

India's NBSAP in alignment with KMGBF global goals and targets following a nation-wide consultative process.

3. In this regard, Dr. J. Soundrapandi gave a comprehensive presentation on the preparation and progress of the updation of the NBSAP. He mentioned that a Working Group was constituted under the Chairmanship of Dr. V. Rajagopalan, IAS (Retd.), Former Secretary, MoEFCC by the NBA for the purpose.

4. The members were informed that a series of National, Regional, and Inter and Intra-Ministerial Consultation Meetings were organized from November, 2023-April, 2024 across the country with a view to ensure receipt of in-depth inputs from various stakeholders spread across Regional, State and grass-root levels. These consultation meetings discussed the nationalization of KMGBF global goals and targets, adoption of National Biodiversity Targets according to National circumstances, priorities and capabilities, Actionable points against each target, Monitoring Framework along with the identification of indicators and responsible agencies, and means of implementation. The inputs thus received from the nation-wide consultation processes were consolidated, and a draft NBSAP thus prepared was discussed by the Working Group on NBSAP in June 2024 with a view to finalize the same.

5. He stated that the draft NBSAP has been structured into three themes, namely Reducing threats to Biodiversity; Meeting people's needs through sustainable use and benefit-sharing; and Tools and solutions for implementation and mainstreaming covering the 23 National Targets as per the Kunming Montreal Global Biodiversity Framework. Further, he mentioned that the NBAP 2008 developed had adopted 175 action points against 12 NBTs. Later, the plan was aligned with the Aichi Biodiversity Targets (ABTs).

6. It was explained that the existing action points were assorted against newly framed NTs and also aligned with the KMGBF. The resource inputs and valuable feedback on the relevance of existing and proposed supplemental action points were obtained through the wider consultative process organized across the country.

7. He also informed that the final list includes 169 existing action points that have been retained or modified. In addition, he explained that 37 supplemental action points have also been included. He highlighted that the updated or revised NBSAP includes altogether 206 action points against 23 NTs. He apprised the members that realizing the complexities and high expectations, the NBSAP has been recognized into six broad conservation domains which are as follows:



- Area Based Conservation
- Building Ecosystem Resilience
- Recovery, Rehabilitation and Conservation of Threatened Species
- Conservation of Agrobiodiversity
- Sustainable Management and Use of Biodiversity
- Enabling Conditions, Tools and Solutions for Implementation

8. Dr. Soundrapandi informed the members that the consultative process recommended maximum 31 action points in case of NT 21 relevant to CEPA, followed by 28 action points in case of NT 4 (manage species and genetic diversity). NT 18, NT 22, and NT 23 have only two action points each. He also mentioned that the various Ministries/department, sectors and agencies involved in conservation of biodiversity will be responsible for timely and effective implementation of these result-oriented action points. He further explained that the different aspects are covered in the NBSAP document and also elaborated on the work done related to the Biodiversity Finance Initiative.

9. The members appreciated the comprehensive and meticulous efforts taken in the preparation of the NBSAP. Shri. Raghu Kumar Kodali, Advisor, MoEFCC suggested that the document title should be "Updated NBSAP". The members further deliberated on the strengthening of the State Biodiversity Boards and Biodiversity Management Committees, including in the Northeastern region for effective implementation of the Act. Dr. Amit Parikh, DBT suggested that a mechanism for reviewing the action plans may also be considered for effective implementation of the NBSAP.

Decision: (a). The Members approved the draft National Biodiversity Strategy and Action Plan (NBSAP) and Adoption of National Biodiversity Targets (NBTs) in alignment with the Kunming-Montreal Global Biodiversity Framework (KMGBF) and decided that the title may be changed to "**Updated National Biodiversity Strategy and Action Plan (NBSAP) and Adoption of National Biodiversity Targets (NBTs) in alignment with the Kunming-Montreal Global Biodiversity Framework (KMGBF)**".

(b). The members decided that the Updated Draft NBSAP may be submitted to the MoEFCC for further necessary action.

Action: Secretary, NBA



70.05 To consider the minutes of the third meeting of the re-constituted Expert Committee (EC) for scientific examination of certain materials/resources/chemicals used for research, commercialization, bio-survey and bio-utilization and for obtaining Intellectual Property Rights for determining whether they fall under the purview of the definition of the biological resources under the Biological Diversity (Amendment) Act 2023

Secretary, NBA informed the members that the 3rd meeting of the Expert committee was held on 10th & 11th May 2024, at Chennai where the EC had confirmed the proceedings of the first, second and the Special Meetings held earlier. He also mentioned that the Expert Committee examined the 24 IPR applications and made their recommendations.

2. Secretary, NBA explained that Shri. Sai Prakash IFS Retd. Ex. PCCF and HoFF, Maharashtra had given a brief presentation on the illicit removal of Narkya (*Mappia foetida*) in Chandoli National Park, Kolhapur Wildlife, Maharashtra, and a detailed investigation of its trade. The EC also discussed whether the Camptothecin is a biological resource or a derivative as per the provisions of the Biological Diversity (Amendment) Act 2023. On the basis of available information, the EC deliberated the issue

and recommended that the Camptothecin is a biological resource.

3. Further, the members deliberated the list of biological resources in accordance with the Biological Diversity (Amendment) Act 2023 as recommended by the Expert Committee in its consolidated interim report. The members acknowledged the efforts taken by the Expert Committee.

Decision: The members approved the minutes of the third meeting of the re-constituted Expert Committee (EC) for scientific examination of certain materials /resources /chemicals used for research, commercialization, bio-survey and bio-utilization and for obtaining Intellectual Property Rights for determining whether they fall under the purview of the definition of the biological resources under the Biological Diversity (Amendment) Act 2023 along with the Interim report submitted by the expert committee on materials.



Action: Secretary, NBA

70.06: Creation of CBD-Cell at NBA and Sub-Cell at MoEFCC

Secretary, NBA informed the members that as per the directions of the MoEFCC, New Delhi vide their Office Memorandum No. C-12023/9/2024-CS-III dated 29.05.2024, NBA, Chennai has created a CBD Cell to cater the various needs of activities as suggested by MoEFCC with the following positions.

SI No	Name of the Position	Number of persons	Location
1	Scientific Consultant Grade IV	1	NBA
2	Scientific Consultant Grade III	2	NBA
3	Scientific Consultant Grade II	2	NBA
4	Scientific Consultant Grade I	3	NBA/ MoEFCC
5	Senior Young Professional	2	NBA/ MoEFCC

2. It was informed that these positions have been notified and advertised. Further, Chairman, NBA mentioned that the Consultants and the Senior Young Professionals selected will work exclusively on the CBD documents and assist the Indian delegates to prepare the inputs and India's position for the CBD meetings. They shall also attend to other works of NBA as and when required.

Decision: The members noted the information on creation of CBD-Cell at NBA and Sub-Cell at MoEFCC.

Action: Secretary, NBA

70.07 To implement a process as an interim arrangement to avoid delay in processing Form III applications

The Secretary, NBA informed that Biological Diversity (Amendment) Act 2023 came into effect on 1st April 2024 and Biological Diversity Rules and applications Forms are in the process of getting amended. He also informed that 68th Authority vide agenda item no.69.04 decided that NBA shall follow an ad-hoc mechanism, wherever required, for effective disposal of the ABS applications and miscellaneous matters within the framework of the BD(Amendment) Act, 2023. Pursuant to the decision of the Authority, NBA secretariat decided to implement an ad-hoc mechanism to process the Form III (IPR) applications as an interim arrangement in order to avoid delays and



inconveniences to the applicants. He mentioned that as per the interim process, applicants have to submit the Affidavits to confirm whether they fall in Section 7 or Section 3(2). The Secretary, NBA also informed that NBA has developed draft Affidavits for both Section 3(2) and Section 7 persons, which will be sent to the applicants for submission.

2. The members deliberated on the draft affidavits proposed by the NBA Secretariat. In this regard, Dr. Gouri Joshi suggested that the Affidavits may be notarized by the Central Notary rather than the State. In this regard, members suggested that the title of the Affidavits may be changed to "Status of the entity/ individual under section 3(2) of the Biological Diversity Act, 2002 as amended by Biological Diversity (Amendment) Act, 2023 to be obtained from Central Notary" in the case of Section 3(2) and "Status of entity/ individual under section 7 of the Biological Diversity Act, 2002 as amended by the Biological Diversity (Amendment) Act, 2023 to be obtained from Central Notary".

3. While deliberating, the Chairman, NBA opined that the Affidavits mentioned above may be included along with the Rules when submitting to the Ministry for concurrence. In this regard, Dr. Amit Parikh, DBT suggested that it is not advisable as it may require changes from time to time appropriately. Further, Secretary, NBA explained that these Affidavits have been devised for the interim period only. The submission of a declaration by the applicant has already been incorporated in the application forms mentioned in the draft Biological Diversity Rules 2024. The members suggested that Affidavits notarized centrally may be submitted along with the Declaration given in the Forms.

4. Secretary, NBA explained that after receiving the affidavit during this interim period, the NBA shall issue a certificate of registration only to the entities/persons who fall under section (7) of the BD Act. The process for entities/persons who fall under section 3(2) of the BD Act will be as per the existing system of obtaining approval from the NBA in the form of an agreement based on Mutually Agreed Terms (MAT). The members deliberated and agreed to this process of issuance of the certificate of Registration to Section 7 persons/entities.



Decision: (a). The members decided that the NBA shall share the draft Affidavits for both Section 3(2) and Section 7 to the Form III (IPR) applicants before providing the Certificate of Registration to section 7 entities during this interim period to avoid delay in processing the Form III applications.

(b) The members decided that title of the Affidavits shall be "Status of the entity/ individual under section 3(2) of the Biological Diversity Act, 2002 as amended by Biological Diversity (Amendment) Act, 2023 to be obtained from Central Notary" in the case of Section 3(2) and "Status of entity/ individual under section 7 of the Biological Diversity Act, 2002 as amended by the Biological Diversity (Amendment) Act, 2023 to be obtained from Central Notary".

(c) The members decided that the aforesaid affidavits submitted by the applicants shall be notarized by Central Notary for further processing at NBA.

(d) The members decided that the above-mentioned affidavits notarized by Central Notary shall be submitted along with the Declaration while submitting the Forms by the applicant after the notification of the Biological Diversity Rules 2024 and the Forms also.

Action: Secretary, NBA

70.08 To consider the approval for revised proposal of National Biodiversity Authority Medical Facilities Scheme (NBAMFS-2024) for the benefit of serving/pensioner/family pensioner in respect of NBA

Secretary, NBA informed the members that presently the NBA is following the mechanism of Medical reimbursement for the expenditure incurred by the regular employees as per the NBA Medical Attendance Rules -2015 (NBAMAR-2015). He further mentioned that the 33rd Authority approved the above said document, and the same was implemented with subsequent modifications from time to time.

2. Pursuant to this and in line with the CGHS available for the Central Government employees, NBA had proposed a modified medical Scheme called NBAMFS-2022, which was approved by the 64th Authority held in March 2022 and the same was submitted to the MoEFCC for concurrence.

3. Further, Secretary, NBA informed the members that based on the latest developments in the CGHS Rules, NBA proposed to amend the NBAFMS-2022. He



mentioned that NBA convened a series of meetings with Subject Specialists to improve the scheme. Secretary, NBA also informed the members that NBA has formulated a draft form of the Scheme named NBAMFS-2024 and the same is placed before the Authority for seeking approval.

4. The members deliberated the draft form of the Scheme and also considered whether NBA can adopt CGHS than the new scheme NBAMFS 2024. In this regard, Dr. Hanchinal, Non- official member suggested that NBA can adopt the CGHS in the similar fashion as PPVFRA. To this, Shri Raghu Kumar Kodali suggested that NBA may send the proposal to include the staffs of NBA in the CGHS Scheme, by referring the PPVFRA model, to MoEFCC for consideration and concurrence. He also mentioned that the new proposed scheme NBAMFS 2024 may be submitted as an alternative. The members suggested to submit proposal related to coverage of NBA staff under CGHS to the Ministry.

Decision: a. The members decided that the NBA shall send a letter to MoEFCC requesting the Ministry to take up the issue with Ministry of Health and Family Welfare (MoHFW) for inclusion of NBA staff in CGHS scheme for the benefit of serving/pensioner/family pensioner based on the method followed by PPVFRA

b. The members approved the National Biodiversity Authority Medical Facilities Scheme (NBAMFS) 2024.

c. The members advised that the proposal for inclusion of NBA staff under the CGHS shall be taken up by NBA with the Ministry and simultaneously to send the NBAMFS 2024 proposal to Ministry for approval.

Action: Secretary, NBA

70.09 To Consider the Action Taken to Implement the Provisions of the Biological Diversity (Amendment) Act, 2023

(A) Appointment of Members of the Authority under section 8(4) of the Biological Diversity (Amendment) Act, 2023:

Secretary, NBA explained that the Biological Diversity (Amendment) Act, 2023 came into force from 1st April, 2024 as per the MoEFCC notification dated 18th January 2024. Section 8(4) of the Biological Diversity (Amendment) Act, 2023 has been amended which is as follows:



The National Biodiversity Authority shall consist of the following members, namely:

- (a) a Chairperson,*
- (b) sixteen ex officio members to be appointed by the Central Government, representing the Ministries dealing with- (i) Agricultural Research and Education; (ii) Agriculture and Farmers Welfare; (iii) Ayurveda, Unani, Siddha, Sowa Rigpa, Yoga and Naturopathy and Homeopathy; (iv) Biotechnology; (v) Environment and Climate Change; (vi) Forests and Wildlife; (vii) Indian Council of Forestry Research and Education; (viii) Earth Sciences; (ix) Panchayati Raj; (x) Science and Technology; (xi) Scientific and Industrial Research; (xii) Tribal Affairs;*
- (c) four representatives from State Biodiversity Boards on rotational basis;*
- (d) five non-official members to be appointed*
- (e) a Member-Secretary*

2. He further mentioned that appointing the ex-officio members as indicated in Section 8(4)(b) and 8 (4)(c) of the BD (Amendment) Act, 2023 would come to sixteen ex-officio members. The Members of the Authority have been augmented from 15 to 23 members under section 8(4) of the Biological Diversity (Amendment) Act, 2023.

3. Accordingly, Members of the Authority are: Chairperson of NBA, sixteen (16) ex officio members (*representatives from 12 Ministries and representative from four (4) State Biodiversity Boards*); five non-official members, and a Member Secretary of NBA.

4. Secretary, NBA informed that MoEFCC vide notification S.O.4037(E) dated 06th September 2023 has appointed the five non-official members of the Authority for a period of three years from the date of this notification (*i.e. 05th September 2026*).

5. He also mentioned that four representatives of the State Biodiversity Boards have to be appointed as ex-officio members of the Authority on rotational basis as per section 8(4)(C) of the Act. In this regard, NBA opined that MoEFCC may appoint 'Four representatives from SBBs' as ex-officio members in the gazette notification and NBA may be authorized to engage four SBBs on rotational basis preferably for a year since



four authority meetings shall be conducted in a year which may aid to avoid issuance of notification by MoEFCC from time to time.

6. Secretary, NBA apprised the members that NBA vide letter dated 16th April 2024 requested the MoEFCC to appoint the members to the Authority as given below as per section 8(4) of the Biological Diversity (Amendment) Act, 2023 for smooth functioning of the Authority once the amended Act come into force from 1st April, 2024.

- (I). **Twelve (12)** Ex-officio members representing from the Ministries /Departments, preferably at the level of Joint Secretary or an officer of an equivalent rank may be appointed.
- (II). **Four (4)** ex-officio members representing from State Biodiversity Boards on rotational basis, preferably at the level of Member Secretary may be appointed. The NBA may be authorized to engage four members representing State Biodiversity Boards on rotational basis preferably for a year under intimation to the MoEFCC.
- (III). Separate notification may be issued indicating their tenure for the existing five non-official members of the Authority.

7. Secretary, NBA informed that subsequently, on 08th May 2024, NBA was requested to furnish revised draft notification of the Authority members, in view of Section 8 (4) (b) and (c) of the amended Act, to the Ministry. To this, NBA responded to the MoEFCC on 09th May 2024 stating that the combined reading of Section 8 (4) (b) and (c) gives an impression that 12 ex-officio members and representatives of 4 SBBs (on a rotational basis) would be part of 16 ex-officio members of the Authority. Moreover, in section 8(4)(b), only 12 names of Ministries of Gol were given. Hence, the total number of ex-officio will be 12 Ministries of Gol and 4 SBBs.

(B) Appointment of Adjudicating Officer as required under Section 55A (1) of the Biological Diversity Act, 2002 as amended by Biological Diversity (Amendment) Act, 2023:



1. Secretary, NBA stated the Section 55A (1) of the Biological Diversity Act, 2002 as amended by Biological Diversity (Amendment) Act, 2023 which is reproduced as under

“For the purposes of determining the penalties under section 55, the Central Government may appoint an officer not below the rank of Joint Secretary to the Government of India or a Secretary to the State Government to be the adjudicating officer, to hold inquiry in the prescribed manner and to impose the penalty so determined:

Provided that the Central Government may appoint as many adjudicating officers as may be required.

2. He also informed that NBA vide letter dated 15th April 2024 requested the MoEFCC to kindly take necessary action to appoint the Adjudicating Officer to the Government of India under section 55A (1) Biological Diversity Act, 2002 as amended by Biological Diversity (Amendment) Act, 2023, for dealing with contravention cases as required under Section 55A of the Act. Secretary, NBA highlighted that, under section 55A, the Central Government is empowered to appoint Adjudicating Officer to the State Governments.

Decision: The Authority members noted the efforts taken by the NBA for appointment of Members of the Authority under section 8(4) of the Biological Diversity (Amendment) Act, 2023 and for the appointment of Adjudicating Officer as required under Section 55A (1) of the Biological Diversity Act, 2002 as amended by Biological Diversity (Amendment) Act, 2023.

70.10: Participation of NBA officers in the Conferences / Meetings / Capacity Building Programmes
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Secretary, NBA informed the members that the Chairman, NBA had participated in the Twenty-Sixth Meeting of Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-26), and also Chaired the Fourth Meeting of Subsidiary Body on Implementation (SBI); the International Day for Biodiversity 2024 celebration at Kenya and other important meetings. Similarly, it was informed that Secretary NBA also participated in the 4th meeting of SBI at Nairobi, Kenya.



2. He further informed that NBA organized a meeting with SBBs and UTBCs on 05.03.2024 to review

- (i) the utilisation of ABS fund released by the NBA
- (ii) progress made on the updation of e-PBR by 12 Pilot States .

3. It was also informed that Secretary, NBA participated in other important meetings with different stakeholders to discuss the draft BD Rules, 2024. Secretary, NBA also informed the members about the training and capacity programs organised by NBA.

Decision: The members noted the Meetings, Training and Capacity Building Programmes participated by the NBA officers of the NBA.

70.11: Celebration of International Day for Biological Diversity 2024

Secretary, NBA informed the members that the International Day for Biological Diversity (IDB) 2024 was commemorated with significant events organized by the National Biodiversity Authority (NBA) and the Andhra Pradesh State Biodiversity Board (APSBB) under the aegis of Ministry of Environment Forest, Climate Change. He explained that the celebrations took place at the Andhra University Convention Centre in Visakhapatnam on 22nd May 2024 as both Chairman, NBA and Secretary, NBA were out of country on official tour for the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-26) and Subsidiary Body of Implementation (SBI) meetings of the Convention on Biological Diversity.

2. The theme for IDB 2024 was “Be Part of the Plan”, emphasizing collective action to halt and reverse biodiversity loss. The event saw the participation of several dignitaries including Shri Chiranjiv Choudhary, IFS Principal Secretary to Government & Principal Chief Conservator of Forest (PCCF) & Head of the Forests Force (HoFF), Prof. P.V.G.D. Prasad Reddy, Vice Chancellor, Andhra University, Dr. Hanchinal Rayappa Ramappa, Former Chairperson, Protection of Plant Varieties and Farmers' Rights Authority & Member, National Biodiversity Authority, Dr. Janakiram Vice Chancellor, Dr. Y.S.R. Horticultural University, and Shri B.V.A. Krishna Murthy, IFS Member Secretary, APSBB. The members of Biodiversity Management Committee and Senior officials from the Central / State Government were also present.



3. NBA launched the 6th cycle of Biodiversity Samrakshan Internship Programme (BSIP) 2025 during the event, promoting practical involvement in biodiversity conservation among students and individuals. Recognition was given to individuals and students for their contributions to biodiversity conservation by APSBB. Various brochures, books, reports, and posters were released to disseminate information and raise awareness about biodiversity conservation initiatives. A tree plantation program was conducted at the Andhra University campus to promote environmental awareness and sustainable practices.

4. He mentioned that an exhibition was organized to showcase biodiversity conservation efforts by various departments and State Biodiversity Boards. Secretary, NBA also informed that a National seminar on “Impact of Climate Change and Ecotourism on Biodiversity” was held on 23rd May 2024 at Andhra University as a part of IDB celebration which provided a platform for experts, researchers, policymakers, and stakeholders to discuss critical issues related to biodiversity conservation.

5. Secretary, NBA informed the members that NBA provided financial support of Rs.3,00,000/- to State Biodiversity Boards/UTBCs to facilitate IDB 2024 celebrations involving Biodiversity Management Committees (BMCs) in their respective states.

Decision: The members appreciated the efforts taken and noted the information.

70.12 Celebration of World Environment Day 2024

Secretary, NBA informed the members that the theme for World Environment Day (WED) 2024 was “Land Restoration, Desertification and Drought Resilience”. The National Biodiversity Authority (NBA), under the direction of the Ministry of Environment, Forests, and Climate Change (MoEFCC), requested State Biodiversity Boards (SBBs) and Union Territory Biodiversity Councils (UTBCs) to observe and celebrate WED 2024. SBBs and UTBCs organized a comprehensive week-long programme from May 26th to June 5th, 2024. The activities were designed to address environmental challenges with active participation from Biodiversity Management Committees (BMCs). Various activities were conducted, including: Tree Planting: Enhancing green cover and promoting afforestation, Cleaning of Village Ponds: Securing clean water sources, Removal of Invasive Alien Species: Protecting local

biodiversity, Replenishment of Rural Water Bodies: Participation in schemes like the Amrit Sarovar Scheme to ensure sustainable water resources.

2. Secretary, NBA further informed that the Non-official members of NBA and staffs of NBA visited selected SBBs/UTBCs to review their action plans for celebrating WED 2024 and provided guidance to align activities with the designated themes and objectives. SBBs and UTBCs uploaded the details of their WED 2024 activities on the MeriLiFE Portal.

3. In this regard, Secretary, NBA mentioned that NBA had allocated Rs. 50,000/- financial support to each State Biodiversity Board/UTBC to facilitate the celebrations of WED involving BMCs across states.

Decision: The members appreciated the efforts taken and noted the information.



डॉ. ब. बालाजी, भा.व.से. / Dr. B. Balaji, IFS
सचिव / Secretary
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Annexure I

List of members who participated

SI No	Chairman of the Authority
1	Shri C. Achalender Reddy, IFS (Retd.), Chairperson, NBA
	Ex officio members
2	Shri. Raghu Kumar Kodali, Advisor/ Scientist G, MoEFCC, New Delhi
3	Dr. Amit Parikh, , Scientist F, Department of Biotechnology, New Delhi
4	Shri. M. Gunasekaran, Deputy Commissioner (Seeds), Department of Agriculture and Family Welfare, New Delhi
5	Dr. Sudesh Yadav, Director, Institute of Himalayan Bioresource Technology, Palampur
6	Dr Jeetendra Kumar Vaishya, Research Officer, NMPB, Ministry of AYUSH, New Delhi
	Non-Official Members
7	Shri Hanchinal R. Ramappa, 1, Haudin Road, Ulsoor, Bengaluru - 560001
8	Dr. Joykumar Meitei Laishram, Retired Dean, College of Agriculture, Central Agriculture University Imphal, Manipur
9	Dr. Gouri Joshi, 401, Balwant ashram, Behind Nirmiti Elite, Law College Road, Erandwane, Pune, Maharashtra - 411004.
	Secretary, National Biodiversity Authority
10	Dr. B. Balaji, IFS

70.01: To consider the Report of the Expert Committee on the revised amendments proposed to the Biological Diversity Rules, 2004 along with the NBA Secretariat observations

The Secretary, NBA informed that amendments proposed to the Biological Diversity Rules, 2004 along with revised application forms and application fees which were approved by the 68th Authority were communicated to the MoEFCC on 28.12.2023 for further action.

2. He also informed that the MoEFCC had received written comments on the draft Biological Diversity Rules, 2004 from the Ministry of AYUSH and the Ministry of Agriculture and Farmers' Welfare. Subsequently, an Inter and Intra Ministerial consultation was convened by the MoEFCC with different Ministries / Departments on draft Biological Diversity Rules, 2024 from 11.03.2024 to 15.03.2024 at MoEFCC, in which representatives from 14 Ministries/ Departments have attended and offered their written comments.

3. Besides, MoEFCC has convened a one-to-one meeting with the Ministry of AYUSH twice and also with the Department for Promotion of Industry and Internal Trade, Ministry of Commerce wherein issues related to each ministry were discussed and arrived at a consensus on the draft Rules.

4. He mentioned that MoEFCC had revised amendments proposed to the BD Rules, 2004 based on the Inter and Intra Ministerial consultation and also had internal discussions with the NBA from time to time.

5. He further informed that NBA had received the draft BD Rules 2024 from MoEFCC vide email dated 15.07.2024 for further necessary action. NBA secretariat forwarded the draft BD Rules, 2024 received from the MOEFCC to the expert committee constituted for this purpose for examination which had a meeting on 19.07.2024. He added that the Expert committee submitted its recommendation on the draft Biological Diversity Rules 2024 to the NBA and the same was placed along with the NBA secretariat observation/comments for consideration before this Authority.

6. Shri C. Achalender Reddy, Chairman, NBA informed that wherever the EC concurs with the Ministry's proposal that relevant provisions of the rule may not be discussed, and key recommendations of the EC on the provisions of the draft BD Rules, 2024 may be discussed. Thereafter, the Members discussed the draft BD Rules, 2024 on clause by clause, and made modifications in the rules, wherever required, which include the following:

- 1) **Rule 2(d) definition of Biodiversity Management Committee** – members were informed that panchayats/urban local bodies are dissolved by the Government under the respective legislations and remain non-functional till elections are held. During this period, the functions of the BMC will be stalled. The BMC is mandated to issue a certificate of origin for cultivated medicinal plants under the Act and also to provide inputs to SBBs/ NBA on access request. To ensure that the functioning of the BMC is perpetual, the changes proposed by the EC are required. Members agreed to the EC's proposal.
- 2) **Rule 2(f) – Fees & 2(g) Form** – It was informed that the “forms” and “fee” structure should be notified separately by the Government. Secretary, NBA informed that the Ministry of Law and Justice has commented that all forms and fees should be scheduled to the Rules. Therefore, NBA proposed to retain the sub-rule as proposed by the MoEFCC. Members agreed to the proposal.
- 3) **Rule 10(7)** - It was informed that EC recommended that a quorum at every meeting of the Authority shall be in odd number so that during voting majority can be decided. Further, as the total number of members is 23, atleast one third (seven) can be a corum. The same was agreed to by the Authority.
- 4) **Rule 11(1) & (2):** Members were informed that MoEFCC was of the view that procedures already covered in the Act may not be repeated in the rules and therefore certain rules including these rules have been deleted. Members were also informed that EC recommended retaining these rules as notification of guidelines and determination of benefit sharing components are the most important functions of NBA amongst other functions. Although section 18 of the Act provides for regulating activities by the NBA, for the sake of clarity, there is a need to mention these elements in the Rules specially to avoid unnecessary litigations. It was informed that based on the meeting held with the Indian Vaccine Manufacturer Association and other sectors, there is a need to issue sector-specific guidelines for providing better clarity to

different sectors. Therefore, it is suggested that a rule may be included to enable the NBA to prepare sector-specific regulations/ guidelines. Member deliberated the issue in detail and decided to retain Rule 11(1) & (2) of the draft rules and also suggestions offered by the NBA in Rule 11(1).

- 5) **Rule 13(4)** - EC recommended to delete the sentence “*to whom the bio-resource belongs to*”. Further, CBD reaffirms sovereign rights of the nation and they do not belongs to a particular person. The issue was discussed by the Members and decided to retain the rule as proposed by the MoEFCC as it provides clarity to the applicant.
- 6) **Rule 16** – Members expressed that timeline of 180 days to grant approval is quite a long process and it may be reduced. The Secretary, NBA informed that in initial draft amendments, the NBA proposed 90 days for granting approval. During the Inter-ministerial meeting, DPIIT proposed to have 180 days since the foreign entities may not be able to furnish the required information including an agreement within 90 days. Members agreed to the changes proposed in the Rule.
- 7) **Rule 19(4) – Issue certificate of origin by BMC:** EC expressed concern about assuming of the powers of BMC by the SBB for the issuance of “certificate of origin” for cultivated medical plants in the event of delay at BMC level. Therefore, EC recommended necessary modifications to the Rules. The Advisor, MoEFCC suggested that a procedure may be prescribed to deal with cases where BMC does not issue a certificate of origin within the prescribed timeline. The issue was discussed and decided that in cases where BMC does not issue a certificate within the stipulated time, the applicant shall approach the State Biodiversity Board concerned and SBB shall give direction to the BMC to dispose of the same within 7 days. In the event of dispute between the applicant, the Biodiversity Management Committee, and the SBB concerned, the same shall be referred to the Authority by the State Biodiversity Board concerned. In such case, the decision of the Authority shall be final and binding.
- 8) **Rule 19(6):** The representative of the Ministry of AYUSH suggested to replace the word “end user” with “applicant”. Authority suggested to elaborate this in the regulations or guidelines, as appropriate.

- 9) **Rule 21(5) – export of Non-NTACs:** It was informed that items or biological resources which are listed as Normally Traded as commodities (NTACs) under section 40 of the Act. It was also informed that section 40 indirectly says that unless included in the notified list, the biological resources cannot be exported without paying ABS by section 7 entities. In order to promote the export of Non-NTACs, the rule has been proposed to allow section 7 as well as section 3(2) persons to export the Non-NTACs by paying ABS. This will aid towards ease of doing business specifically for export of bulk seeds, planting materials, etc. A representative of the Ministry of Agriculture and Farmers' Welfare informed that all seeds listed under the Seed Act are to be treated as NTACs and export of germplasm is to be treated at par with Seed under the Seed Act which should not be subject to ABS. He expressed that the proposed rule may have an impact on the export of seeds in the country. The Chairman, NBA responded that seeds that are listed under NTAC only are exempted but the export of non-NTACs for commercial utilization is subject to payment of ABS. Members agreed to the proposal of the NBA to retain the rule proposed by the MoEFCC. Members also discussed the two forms related to the export of non-NTACs by section 7 and section 3(2) persons and approved the same subject to certain modifications.
- 10) **Rule governing Criteria for determining fair and equitable benefit sharing:** - It was informed that EC did not agree to the deletion of this rule as it provides scope and principles for the determination of the benefit-sharing mechanism and also forms the basis for framing the ABS regulations. After discussion, Members did not agree to the recommendations of the EC as these elements may be provided in the ABS regulations which is more appropriate.
- 11) **Rule related to the Cognizance of offences by a court:** Members were informed that EC was of the view that the provision of taking cognizance by the courts under the amended section 61 of the Act still exists in the statute and there should be a rule relating to this as any person or benefit claimer can approach the court directly and may chose not to approach the adjudicating officer and it is also linked with section 56 of the Act. After taking cognizance

under section 61 of the Act, the court may impose a penalty under section 56 of the Act. Therefore, EC recommended to retain the Rule. It was informed that there are two options provided in the Act for dealing with the offences, one is the Adjudicating officer for imposing penalty under section 55, and any person or benefit claimer can approach the court directly under section 61. It was also informed that there is a gap in the Act which may be filled through this rule. After detailed discussion, Members approved the recommendation of the EC to retain the rule, however, the Ministry may take a final call on this subject.

- 12) **Forms and Fees** - Members approved the application forms and application fees including form no. 16 and 17 as proposed.

7. After having a detailed deliberation, members approved the revised draft Biological Diversity Rules, 2024 subject to certain modifications and also directed to communicate the same to the Ministry immediately for further necessary action.

Decisions:

- a) The Authority considered the Report submitted by the Expert Committee on amendments to the Biological Diversity Rules and notification of forms and fees.
- b) The Authority approved the draft BD Rules, 2024, Application forms and fees, subject to certain modifications, as appended in the Annex.
- c) Keeping in view of the urgency on this matter, the Authority directed the secretariat to forward the revised draft BD Rules, 2024, Application forms and fee to the Ministry immediately for further necessary action.

Action: Secretary, NBA.

Revised Draft Biological Diversity Rules 2024 as approved in the 70th Authority held on 29/07/24

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
In exercise of the powers conferred by section 62 of the Biological Diversity Act, 2002 and in supersession of the Biological Diversity Rules, 2004, except as respect to things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -	In exercise of the powers conferred by section 62 of the Biological Diversity Act, 2002 and in supersession of the Biological Diversity Rules, 2004, except as respect to things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: --	In exercise of the powers conferred by section 62 of the Biological Diversity Act, 2002 and in supersession of the Biological Diversity Rules, 2004, except as respect to things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -			
Short title and commencement	1. Short title and commencement	1. Short title and commencement. -			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(1) These rules may be called the Biological Diversity Rules, 2023.	(1) These rules may be called the Biological Diversity Rules, 2023.	1) These rules may be called the Biological Diversity Rules, 2024	EC agreed to the change made in the rule as in column (3)		Authority agreed to the recommendation of the EC.
(2) These shall come into force after completion of 60 days from the date of their notification in the Official Gazette.	(2) They shall come into force after completion of 60 days from the date of their notification in the Official Gazette. The rules are applicable prospectively.	(2) They shall come into force after completion of 60 days from the date of their notification in the Official Gazette. The rules are applicable prospectively.			
2) Definitions In these rules, unless the context otherwise requires,	2) Definitions In these rules, unless the context otherwise requires,	2) Definitions. - In these rules, unless the context otherwise requires,			
2(a) "Act" means the Biological Diversity Act, 2002 (18 of 2003) as amended in 2023;	2(a) "Act" means the Biological Diversity Act, 2002 (18 of 2003) as amended in 2023;	(a) "Act" means the Biological Diversity Act,			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		2002 (18 of 2003) as amended in 2023;			
2(b) “Access” means collecting, procuring or possessing any biological resource occurring in or obtained from India or traditional knowledge associated thereto, for the purposes of research or bio-survey or commercial utilisation;	2(b) “Access” means collecting, procuring or possessing any biological resource occurring in or obtained from India or traditional knowledge associated thereto, for the purposes of research or bio-survey or commercial utilisation;	Deleted 2(b) “Access” means collecting, procuring or possessing any biological resource occurring in or obtained from India or traditional knowledge associated thereto, for the purposes of research or bio-survey or commercial utilisation;	EC agreed to the deletion of the sub-rule.		Authority agreed to the recommendation of the EC.
2(c) “Authority” means the National Biodiversity Authority established under sub- section (1) of Section 8,	2(c) “Authority” means the National Biodiversity Authority established under sub-section (1) of section 8;	(b) “Authority” means the National Biodiversity Authority, Chennai established under sub-section (1) of section 8;	EC agreed.		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
2(d) "Benefit claimers" means the conservers of biological resources, their by-products, creators and or holders of traditional knowledge associated thereto (excluding codified traditional knowledge only for Indians) and information relating to the use of such biological resources, innovations and practices associated with such use and application;	2(d) "benefit claimers" means the conservers of biological resources, their by-products, creators or holders of traditional knowledge associated thereto (excluding codified traditional knowledge only for Indians) and information relating to the use of such biological resources, innovations and practices associated with such use and application;	Deleted 2(d) "benefit claimers" means the conservers of biological resources, their by-products, creators or holders of traditional knowledge associated thereto (excluding codified traditional knowledge only for Indians) and information relating to the use of such biological resources, innovations and practices associated with such use and application	EC agreed to the deletion of the sub-rules		Authority agreed to the recommendation of the EC.
-	-	(c) "Adjudicating Officer" means any officer(s) appointed under Section 55A of the Act for holding an	As per section 13 of the "General Clauses Act, 1897", unless there is anything repugnant in the subject or text, the words importing the masculine		Authority agreed to the recommendation of the EC as in column (4): 2(c)"Adjudicating Officer" means any officer(s) appointed

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		<i>inquiry on the matter and imposing penalty;</i>	gender shall be taken to include female and words in singular shall include plural and vice-versa. Hence, the suffix “(s)” after the officer is not necessary. <i>(c) "Adjudicating Officer" means any officer appointed under section 55A of the Act for holding an inquiry on the matter and imposing penalty;</i>		<i>under section 55A of the Act for holding an inquiry on the matter and imposing penalty</i>
2(e) “Biodiversity Management Committee” means a Biodiversity Management Committee	2(e) “Biodiversity Management Committee” means a Biodiversity Management Committee	(d) “Biodiversity Management Committee” means a Biodiversity Management Committee	To ensure continuity of functioning of the BMC, the definition has been modified. Sometimes the		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
established by a local body under sub-section (1) of Section 41;	established by a local body under sub-section (1) of section 41;	established by a local body under sub-section (1) of section 41;	Panchayats/urban local bodies are dissolved by the Government under the respective legislations and remain non-functional till elections are held. Sometimes this period gets extended for many months and even years. During this period, the BDO/any officer given the responsibilities of managing the local bodies may not have any knowledge about the functions of a BMC. Hence, it is necessary that the important functions		<i>Authority agreed to the recommendation of the EC as in column (4) and the revised rule is as follows:</i> 2(d) “Biodiversity Management Committee” means a Biodiversity Management Committee established by a local body under sub-section (1) of section 41; <i>The Biodiversity Management Committee shall continue to function till the election of a new Chairperson and</i>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			to be discharged by the BMCs do not suffer. The modified definition may be as follows: (d) “Biodiversity Management Committee” means a Biodiversity Management Committee established by a local body under sub-section (1) of section 41; <i>The Biodiversity Management Committee shall continue to function till the election of a new Chairperson and</i>		<i>members of the Committee.</i>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			members of the Committee.		
2(f) "Chairperson" means the chairperson of the National Biodiversity Authority or as the case may be, of the State Biodiversity Board or Union territory Biodiversity Council;	2(f) "Chairperson" means the Chairperson of the National Biodiversity Authority or as the case may be, of the State Biodiversity Board or Union territory Biodiversity Council;	(e) "Chairperson" means the Chairperson of the National Biodiversity Authority or as the case may be, of the State Biodiversity Board or Union territory Biodiversity Council;			
2(g) "fee" means any fee as notified by the Central Government in in consultation with the Authority, from time to time. stipulated in the Schedule;	2(g) "fee" means any fee as prescribed by the Central Government in consultation with the Authority, from time to time through a notification in the Official Gazette;	(f) "fee" means any fee as stipulated in the Schedule to these rules;	EC has been of the view that the NBA/ SBBs/ UTBCs /BMCs have been periodically getting new ideas and insights through implementation of various provisions of the Act/ Rules/ Regulations and	NBA secretariat supports the Ministry's version given in the Column no.3.	Authority has not agreed to the recommendation of the EC as the Ministry of Law and Justice insisted to have all forms as schedule to the Rules. The Authority decided to retain the sub- rule as

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			<p>receiving feedback from the stakeholders which requires modifications in the “forms” and amount of “fee” to be charged.</p> <p>Modifying “forms” and “fee” structure through issue of a separate notification by the MoEFCC based on the recommendations of the NBA is less time consuming as compared to modifications in the Rules. Such notifications are being issued by the</p>		<p>proposed by the MoEFCC in column (3).</p> <p>The sub-rule is as follows:</p> <p>2(f) “fee” means any fee as stipulated in the Schedule to these rules;</p>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			Government under certain legislations. Hence EC is of the view that the “forms” and “Fee” structure should be notified separately by the Government.		
2(h) “Form” means a form as prescribed by the Central Government in consultation with the Authority, from time to time annexed to these rules;	2(h) “Form” means a Form as prescribed by the Central Government in consultation with the Authority, from time to time through a notification in the Official Gazette;	(g) “Form” means a Form as annexed to these rules;	Same as under sub-rule (f)	NBA secretariat supports the Ministry’s version given in the Column no.3.	Authority has not agreed to the recommendation of the EC as the Ministry of Law and Justice insisted to have all forms as schedule to the Rules. The Authority decided to retain the sub- rule as proposed by the

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
					MoEFCC in column (3). (g) "Form" means a Form as annexed to these rules;
2(i) "Member" means a member of the National Biodiversity Authority or a State Biodiversity Board or Union territory Biodiversity Council as the case may be and includes the chairperson; as the case may be;	2(i) "Member" means a member of the National Biodiversity Authority or a State Biodiversity Board or Union territory Biodiversity Council as the case may be and includes the Chairperson and the Member Secretary;	(h) "Member" means a member of the National Biodiversity Authority or a State Biodiversity Board or Union territory Biodiversity Council as the case may be and includes the Chairperson and the Member Secretary;			
2(j) "Member Secretary" means the full time Secretary of the Authority or the State Biodiversity Board or of the Union	2(j) "Member-Secretary" means a full time Secretary of the Authority, or of the State Biodiversity Board or of the Union territory	(i) "Member-Secretary" means a full time Secretary of the Authority, or of the State Biodiversity Board or of the Union territory			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
territory Biodiversity Council, as the case may be;	Biodiversity Council, as the case may be;	Biodiversity Council, as the case may be;			
2(k) "section " means a section of the Act;	2(k) "section" means a section of the Act;	(j) "section" means a section of the Act;			
2(l) "People's Biodiversity Register" means a comprehensive document prepared, validated and maintained by a Biodiversity Management Committee, with the active participation of local communities, and through technical support, containing information and practices on the wild and cultivated /domesticated flora and fauna, and microorganisms, along	2(l) "People's Biodiversity Register" means a comprehensive document prepared, validated and maintained by a Biodiversity Management Committee, with the active participation of local communities, and through technical support, containing information and practices on the wild and cultivated /domesticated flora and fauna, aquatic species and microorganisms, along	(k) "People's Biodiversity Register" means a comprehensive and dynamic document prepared, validated, maintained and updated by a Biodiversity Management Committee, with the active participation of local communities, and through technical support, containing information and practices on the wild and cultivated /domesticated flora and fauna, and microorganisms, along	EC agreed to the modifications		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
with traditional knowledge associated thereto, data of the local vaid and hakims, registered AYUSH practitioners, and other holders of traditional knowledge, within the area of its jurisdiction.	with traditional knowledge associated thereto, data of the local vaid and hakims, registered AYUSH practitioners, and other holders of traditional knowledge, within the area of its jurisdiction. A certificate of validation as prescribed by the Authority will be attached at the end of People's Biodiversity Register or e-People's Biodiversity Register.	with traditional knowledge associated thereto, data of the local vaid, folk healers and hakims, registered AYUSH practitioners, and other holders of traditional knowledge, within the area of its jurisdiction. A certificate of validation as prescribed by the Authority will be attached at the end of People's Biodiversity Register or e-People's Biodiversity Register.			
2(m) words and expressions used but not defined in these rules and defined in the Act shall have the meaning	2(m) words and expressions used but not defined in these rules and defined in the Act shall have the meaning	l) words and expressions used but not defined in these rules and defined in the Act shall have the meaning respectively			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
respectively assigned to them in the Act.	respectively assigned to them in the Act.	assigned to them in the Act.			
3 Manner of selection and appointment of the Chairperson of the Authority	3 Manner of selection and appointment of the Chairperson of the Authority	3) Manner of selection and appointment of the Chairperson of the Authority. –			
(1) The Chairperson of the Authority shall be appointed by the Central Government.	(1) The Chairperson of the Authority shall be appointed by the Central Government.	(1) The Chairperson of the Authority shall be appointed by the Central Government.			
(2) Every appointment of Chairperson under sub-rule section (1) shall be made either on deputation basis including short-term contract or by selection from outside the Central Government.	(2) Every appointment of Chairperson under sub-rule (1) shall be made either on deputation basis including short-term contract or by selection from outside the Government. In case, the	(2) Every appointment of Chairperson under sub-rule (1) shall be made either on deputation basis including short-term contract or by selection from outside the Government. In case, the			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
In case the appointment is through deputation Government or a short-term contract , the applicant should not be below the rank of Additional Secretary to the Government of India.	appointment is through deputation from the Government or a short-term contract, the applicant should not be below the rank of Additional Secretary to the Government of India.	appointment is through deputation from the Government or a short-term contract, the applicant should not be below the rank of Additional Secretary to the Government of India.			
4 Term of office of the Chairperson of the Authority	4 Term of office of the Chairperson of the Authority	4) Term of office of the Chairperson of the Authority. -			
(1) The Chairperson of the Authority shall hold the office for a term of three years' and shall be eligible for re-appointment; Provided that no Chairperson shall hold office as such after attains the age of sixty-five years	(1) The Chairperson of the Authority shall hold the office for a term of three years and may be eligible for extension for one year only . Provided that no chairperson shall hold the office as such after	(1) The Chairperson of the Authority shall hold the office for a term of three years' and shall be eligible for re-appointment. (2) Provided that no Chairperson shall hold office as such after he/she attains the age of sixty-	As per section 13 of the "General Clauses Act, 1897", unless there is anything repugnant in the subject or text, the words imposing the masculine gender shall be taken to include female and words in		Authority agreed to the recommendation of the EC as in column (4): The revised sub-rule is as follows: (2) Provided that no Chairperson shall hold office as such after he/she attains the age

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>or till the term of office expires, which ever is earlier.</p> <p>4(2) Provided that no Chairperson shall hold office as such after he attains the age of sixty years or his term of office expires which is earlier.</p>	<p>attaining the age of 67 years or until further orders.</p>	<p>five years or his/her term of office expires which ever is earlier.</p>	<p>singular shall include plural and vice-versa.</p> <p>Since in the BD Act, word "he" has been used the EC recommends that the word "her" may be deleted wherever it has been inserted.</p> <p><i>(In some new Acts being enacted by the Government, the words "she" and "her" are being used).</i></p> <p>The text may be as below:</p> <p>(2) Provided that no Chairperson shall hold office as such after he attains the</p>		<p>of sixty-five years or his/her term of office expires which ever is earlier.</p>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			age of sixty-five years, or his term of office expires whichever is earlier.		
(2) The Chairperson may resign from his office by giving at least one months' notice in writing to the Central Government. However, the Central Government may relax the period of notice.	(2) The Chairperson may resign from the office by giving at least one-month notice in writing to the Central Government. However, the Central Government may relax the period of notice.	(3) The Chairperson may resign from the office by giving at least one-month notice in writing to the Central Government. However, the Central Government may relax the period of notice.			
(3) Selection process of appointment of Chairperson shall be initiated at least six months before the completion of tenure of the incumbent.	(3) The selection process for the appointment of Chairperson shall be initiated at least six months before the completion of the tenure of the incumbent.	(3) The selection process for the appointment of Chairperson shall be initiated at least six months before the completion of the tenure of the incumbent.	EC agreed to the deletion of sub-rule		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
5) Pay and allowances of Chairperson of the Authority :	5) Pay and allowances of Chairperson of the Authority.-	5) Pay and allowances of Chairperson of the Authority. -			
(1) A Chairperson shall be entitled to pay equivalent to that of Secretary to the Government of India. In case a retired person is appointed as Chairperson, his pay shall be fixed in accordance with the extant orders of the Central Government as applicable to such persons.	(1) A Chairperson shall be entitled to pay equivalent to that of a Secretary to the Government of India. In case, a retired person is appointed as Chairperson, pay shall be fixed in accordance with the extant orders of the Central Government as applicable to such persons.	(1) A Chairperson shall be entitled to pay equivalent to that of a Secretary to the Government of India. In case, a retired person is appointed as Chairperson, pay shall be fixed in accordance with the extant orders of the Central Government as applicable to such persons.			
(2) (2) A Chairperson shall be entitled to such allowances, leave, pension, provident fund, medical facilities, rent free	(2) A Chairperson shall be entitled to such allowances, leave, pension, provident fund, medical facilities, rent free	(2) A Chairperson shall be entitled to such allowances, leave, pension, provident fund, medical facilities, rent free	EC agreed to the modification in the sub-rule		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
accommodation or house rent allowance, other perquisites, etc., as may be decided by the Central Government from time to time.	accommodation or house rent allowance, other perquisites, etc., as may be decided by the Central Government.	accommodation or house rent allowance, other perquisites, etc., as may be decided by the Central Government.			(2) A Chairperson shall be entitled to such allowances, leave, pension, provident fund, new pension schemes medical facilities, rent free accommodation or house rent allowance, other perquisites, etc., as may be decided by the Central Government.
6 Term of office and allowances of non-official Members of the Authority :	6 Term of office and allowances of non-official Members of the Authority. -	6) Term of office and allowances of non-official Members of the Authority. -			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(1) Every non-official member of the Authority shall hold his office for a term not exceeding three years at a time from the date of publication of such member his appointment in the official Gazette.	(1) Every non-official member of the Authority shall hold office for a term not exceeding three years at a time from the date of publication of appointment of such member in the Official Gazette. provided that non-official members shall be appointed through search cum selection committee. Provided further that no such members shall hold office after attaining the age of 70 years.	(1) Every non-official member of the Authority shall hold office for a term not exceeding three years at a time from the date of publication of appointment of such member in the Official Gazette. provided that non-official members shall be appointed through search cum selection committee. Provided further that no such members shall hold office after attaining the age of 70 years.	EC agreed to the deletion of proviso clause in Rule		Authority agreed to the recommendation of the EC. The revised rule is as follows: (1) Every non-official member of the Authority shall hold office for a term not exceeding three years at a time from the date of publication of appointment of such member in the Official Gazette.
(2) Every non-official member attending the meeting of the Authority shall be entitled to sitting	(2) Every non-official member attending the meeting of the Authority shall be entitled to sitting	(2) Every non-official member attending the meeting of the Authority shall be entitled to sitting			Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
allowance, travelling expenses, daily allowance and such other allowances as are applicable to non-official member of commissions and committees of the Central Government attending the meeting (s) of such Commissions or Committees.	allowance, travelling expenses, daily allowance and such other allowances as are applicable to non-official member of Commissions and Committees of the Central Government attending the meeting(s) of such Commissions or Committees. For the purpose of this rule, a non-Official member can be a serving or retired government employee or any other individual appointed in his/her own capacity as an expert.	allowance, travelling expenses, daily allowance and such other allowances as are applicable to non-official member of Commissions and Committees of the Central Government attending the meeting(s) of such Commissions or Committees. For the purpose of this rule, a non-Official member can be a serving or retired government employee or any other individual appointed in his/her own capacity as an expert.	EC agreed to the deletion of proviso clause in Rule		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
-	6(3) The Authority may delegate powers to the Chairperson to assign certain duties and functions to be performed by the non-official members under section 16 of the Act.	6(3) The Authority may delegate powers to the Chairperson to assign certain duties and functions to be performed by the non-official members under section 16 of the Act.	EC agreed to the deletion of sub-Rule		Authority agreed to the recommendation of the EC.
7 Filling up of vacancies of non-official members of the Authority .-	7 Filling of vacancies of non-official members of the Authority.-	7) Filling of vacancies of non-official members of the Authority. -			
(1) A non-official member of the Authority may tender resignation his office at any time by giving it in writing under his hand addressed to the Central Government under intimation to the	(1) A non-official member of the Authority may tender resignation at any time by giving it in writing addressed to the Central Government under intimation to the Chairperson of the	(1) A non-official member of the Authority may tender resignation at any time by giving it in writing addressed to the Central Government under intimation to the Chairperson of the			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Chairperson of the Authority. On acceptance of the resignation by the Central Government, the seat of that member in the Authority shall become vacant.	Authority. On acceptance of the resignation by the Central Government, the seat of that member in the Authority shall become vacant.	Authority. On acceptance of the resignation by the Central Government, the seat of that member in the Authority shall become vacant.			
(2) A casual vacancy of a non – official member in the Authority shall be filled up by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term of the member in whose place he/she such member was nominated.	(2) A casual vacancy of a non–official member in the Authority shall be filled up by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term of the member in whose place such member was nominated.	(2) A casual vacancy of a non–official member in the Authority shall be filled up by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term of the member in whose place such member was nominated.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
8 Removal of the members of the Authority.	8) Removal of the members of the Authority.-	8) Removal of the members of the Authority. -			
No member of the Authority shall be removed from his office on any ground specified in section 11, without conducting a due and proper enquiry by an officer not below the rank of a Secretary to the Government of India appointed by the Central Government and without giving such member a reasonable opportunity of being heard	No member of the Authority shall be removed from office on any ground specified in section 11, without conducting a due and proper enquiry by an officer not below the rank of a Secretary to the Government of India appointed by the Central Government and without giving such member a reasonable opportunity of being heard	No member of the Authority shall be removed from office on any ground specified in section 11, without conducting a due and proper enquiry by the Central Government and without giving such member a reasonable opportunity of being heard.			
9 Member Secretary of the Authority	9 Member-Secretary of the Authority.-	9) Member-Secretary of the Authority. -			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(1) The Central Government shall appoint a Member Secretary to the Authority.	(1) The Central Government shall appoint a Member-Secretary to the Authority.	(1) The Central Government shall appoint a Member-Secretary to the Authority.			
(2) The Member-Secretary shall be entitled to a pay equivalent to that of a Joint Secretary to the Government of India.	(2) The Member-Secretary shall be entitled to pay equivalent to that of Joint Secretary to the Government of India.	(2) The Member-Secretary shall be entitled to pay equivalent to that of Joint Secretary to the Government of India.			
(3) The terms and conditions of the appointment of the Member Secretary shall be determined by the Central Government. Authority.	(3) The terms and conditions of appointment of the Member-Secretary shall be determined by the Central Government. The tenure of Member Secretary may be for five years.	(3) The terms and conditions of appointment of the Member-Secretary shall be determined by the Central Government. The tenure of Member	EC agreed to the deletion of certain portion of the sub-rule.		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		Secretary may be for five years.			
(4) The selection process of Member-Secretary shall be initiated at least six months before the completion of the tenure of the incumbent.	(4) The selection process of Member-Secretary shall be initiated at least six months before the completion of the tenure of the incumbent.	Deleted (4) The selection process of Member-Secretary shall be initiated at least six months before the completion of the tenure of the incumbent.	EC agreed to the deletion of sub-rule.		Authority agreed to the recommendation of the EC.
(5) The Member Secretary shall be the chief responsible for coordinating officer and responsible for convening the meetings of the Authority, maintenance of the records of the proceedings of the Authority and such other	(5) The Member-Secretary shall be the Chief Coordinating Officer and responsible for convening the meetings of the Authority, maintenance of the records of the proceedings of the Authority and such other matters as may be	(4) The Member-Secretary shall be the Chief Coordinating Officer and responsible for convening the meetings of the Authority, maintenance of the records of the proceedings of the Authority and such other matters as may be	Comments as under rule 4(2) the word " her " may be deleted.		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
matters as may be to him by the Authority <i>or by the Chairperson.</i>	assigned to him by the Authority or by the Chairperson.	assigned to him/ <i>her</i> by the Authority or by the Chairperson.			
(6) The Member-Secretary shall be in-charge of all the confidential papers and records of the Authority and shall be responsible for their safe custody.	(6) The Member-Secretary shall be in-charge of all the confidential papers and records of the Authority and shall be responsible for their safe custody.	(5) The Member-Secretary shall be in-charge of all the confidential papers and records of the Authority and shall be responsible for their safe custody			
(7) All directions, resolutions, orders and instructions issued by the Authority generally shall be under the seal and signature of the Member Secretary or of any other officer authorized by the Chairperson in this behalf.	(7) All directions, resolutions, orders and instructions issued by the Authority generally shall be under the seal and signature of the Member-Secretary or any other	(6) All directions, resolutions, orders and instructions issued by the Authority generally shall be under the seal and signature of the Member-Secretary or any other			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
	officer authorized by the Chairperson in this behalf.	officer authorized by the Chairperson in this behalf.			
10 Meetings of the Authority	10 Meetings of the Authority.-	10) Meetings of the Authority. -			
(1) The Authority shall meet at least once in three months in a year four times in a year normally after a period of three months —at the Headquarters of the Authority or at such place as may be decided by the Chairperson.	(1) The Authority shall meet at least once in three months in a year at the Headquarters of the Authority or at such place as may be decided by the Chairperson.	(1) The Authority shall meet at least once in three months in a year at the Headquarters of the Authority or at such place as may be decided by the Chairperson.			
(2) The Chairperson shall, upon a written request from not less than five six Members of the Authority	(2) The Chairperson shall, upon a written request from not less than six members of the Authority	(2) The Chairperson shall, upon a written request from not less than six members of the Authority			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
or upon a direction of the Central Government, call a special meeting of the Authority.	or upon a direction of the Central Government, call a special meeting of the Authority.	or upon a direction of the Central Government, call a special meeting of the Authority.			
<p>3) The members shall be given at least fifteen days' notice for holding an ordinary meeting and at least three days' notice for holding a special meeting specifying the purpose, the time and the place at which such meeting is to be held.</p> <p><i>Provided that the Chairperson may authorize convening an emergency meeting of the</i></p>	<p>(3) The members shall be given at least fifteen days' notice for holding an ordinary meeting and at least three days' notice for holding a special meeting specifying the purpose, the time and the place at which such meeting is to be held:</p> <p>Provided that the Chairperson may authorize convening an emergency meeting of the Authority by giving a short notice to the</p>	<p>(3) The members shall be given at least fifteen days' notice for holding an ordinary meeting and at least three days' notice for holding a special meeting specifying the purpose, the time and the place at which such meeting is to be held:</p> <p>Provided that the Chairperson may authorize convening an emergency meeting of the Authority by giving a short notice to the</p>			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
Authority by giving a short notice to the members for considering and taking decisions on urgent matters: Provided further that for conducting special and emergency meetings, the requirement of maintaining quorum under rule 10(7) will not be applicable.	members for considering and taking decisions on urgent matters: Provided further that for conducting special and emergency meetings, the requirement of maintaining quorum under rule 10(7) will not be applicable.	members for considering and taking decisions on urgent matters: Provided further that for conducting special and emergency meetings, the requirement of maintaining quorum under rule 10(7) will not be applicable.			
(4) Every meeting shall be presided over by the Chairperson and in the his absence of the Chairperson, by a presiding officer to be elected by the members	(4) Every meeting shall be presided over by the Chairperson and in the absence of the Chairperson, a presiding officer to be elected in the presence of Member	(4) Every meeting shall be presided over by the Chairperson and in the absence of the Chairperson, a presiding officer to be elected in the presence of Member			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
present from amongst themselves.	Secretary from amongst the members present.	Secretary from amongst the members present.			
(5) The decisions of the Authority at a meeting shall, if necessary, be taken by a simple majority of the members present and voting and the Chairperson or in the his absence of the Chairperson , the Member presiding shall have a second or casting vote.	(5) The decisions of the Authority at a meeting shall, if necessary, be taken by a simple majority of the members present and voting and the Chairperson or in absence of the Chairperson, the member presiding shall have a second or casting vote.	(5) The decisions of the Authority at a meeting shall, if necessary, be taken by a simple majority of the members present and voting and the Chairperson or in absence of the Chairperson, the member presiding shall have a second or casting vote.			
(6) Each member including the Member-Secretary shall have one vote..	(6) Each member including the Member-Secretary shall have one vote.	(6) Each member including the Member-Secretary shall have one vote.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(7) The quorum at every meeting of the Authority shall be Seven. five.	(7) The quorum at every meeting of the Authority shall be seven.	(7) The quorum at every meeting of the Authority shall be six.	The number of members of the Authority has increased from the earlier number of 16 to 23, including the Member-Secretary and the EC recommended a quorum of at least 7 (less than 1/3 rd) which is an odd number. Hence the EC suggests keeping the quorum as seven. <i>(7) The quorum at every meeting of the Authority shall be seven.</i>		Authority agreed to the recommendation of the EC. The revised sub-rule as follows: (7) The quorum at every meeting of the Authority shall be seven.
(8) No member shall be entitled to bring forward	(8) No member shall be entitled to bring forward	(8) No member shall be entitled to bring forward			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
for the consideration of a meeting any matter of which he has not given ten days' notice unless the Chairperson in his discretion permits him to do so.	any matter for the consideration of a meeting of which he/she has not given ten days' notice unless the Chairperson in his/her discretion permits to do so.	any matter for the consideration of a meeting of which he/she has not given ten days' notice unless the Chairperson in his/her discretion permits to do so.			
(9) Notice of the meeting may be given to the members <i>by the Member-Secretary of the Authority electronically or in such other manner as deemed fit in the circumstances of the case.</i> by delivering the same by messenger or sending it by registered post to his last known place of residence or	(9) Notice of the meeting may be given to the members by the Member-Secretary of the Authority electronically or in such other manner as deemed fit in the circumstances of the case.	(9) Notice of the meeting may be given to the members by the Member-Secretary of the Authority electronically or in such other manner as deemed fit in the circumstances of the case.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
business or in such other manner as the Member Secretary of the Authority may, in the circumstances of the case, think deem fit.					
11 Constitution Appointment of Expert Committees by the Authority and their entitlements of the members	11 Constitution of Expert Committees by the Authority and entitlements of the members.-	11 Constitution of Expert Committees by the Authority and entitlements of the members.-	EC agreed to the deletion of this rule.		Authority agreed to the recommendation of the EC to delete the entire rule.
(1) The Authority may constitute any number of Expert Committees for such purposes and comprising of such members as it may deem appropriate fit consisting wholly of members and or other persons. wholly of	(1) The Authority may constitute any number of Expert Committees for such purposes and comprising of such members as it may deem appropriate consisting of members and or other persons.	(1) The Authority may constitute any number of Expert Committees for such purposes and comprising of such members as it may deem appropriate consisting of members and or other persons.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
or partly of members or partly of other persons.					
(2) An Expert Committee may constitute sub-committee(s), if necessary, from amongst its members for the discharge of its functions.	(2) An Expert Committee may constitute sub-committee(s), if necessary, from amongst its members for the discharge of its functions.	(2) An Expert Committee may constitute sub-committee(s), if necessary, from amongst its members for the discharge of its functions.			
(3) The Expert Committee may co-opt members / special invitees with the concurrence of the Chairperson of the Authority for any specific purpose.	(3) The Expert Committee may co-opt members / special invitees with the concurrence of the Chairperson of the Authority for any specific purpose.	(3) The Expert Committee may co-opt members / special invitees with the concurrence of the Chairperson of the Authority for any specific purpose.			
(4) The members of the Expert Committee and sub-committee(s), if any constituted, and the	(4) The members of the Expert Committee and sub-committee(s), if any constituted, and the	(4) The members of the Expert Committee and sub-committee(s), if any constituted, and the			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
special invitees/co-opted members, The members of the Committee other than the members of the Authority shall be paid such fees and allowances for attending the meetings as the Authority may deem it fit.	special invitees/co-opted members, shall be paid such fees and allowances for attending the meetings, as the Authority may deem it fit.	special invitees/co-opted members, shall be paid such fees and allowances for attending the meetings, as the Authority may deem it fit.			
12 General functions of the Authority: The Authority may perform the following functions; namely: -	12 General functions of the Authority- The Authority may perform the following functions; namely: -	11. General functions of the Authority- The Authority may perform the following functions; namely: -			
(i) lay down the procedure and guidelines	(i) lay down the procedures and guidelines	Deleted	The functions mentioned under (i)	(i) lay down the procedures and	

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
to implement the provisions of the Act including those govern the activities provided under sections 3, 4, 5, 6, 19, 20, 21 and 36A;	to implement the provisions of the Act including those under sections 3, 4, 5, 6, 19, 20, 21 and 36A;	(i) lay down the procedures and guidelines to implement the provisions of the Act including those under sections 3, 4, 5, 6, 19, 20, 21 and 36A;	and (ii) of rule 12 among others, are the most important functions of NBA. Although section 18 of the Act provides for regulating activities by the NBA, but for the sake of clarity, there is need to mention the sections specially to avoid unnecessary litigations. These functions were already there in BD Rules, 2004 under sub-rules 12 (i) and (xvi). If these two sub-rules are deleted, on a general reading by	guidelines to implement the provisions of the Act including those under sections 3, 4, 5, 6, 19, 20, 21 and 36A; NBA shall prepare sector-specific regulations/ guidelines in supersession of regulations/ guidelines issued, if any.	Authority agreed to the recommendation of the EC as in column (4). the Authority also considered the suggestion of NBA secretariat to include proviso clause which will aid to address the issues faced by different sectors. The Authority decided the sub rule may be retained and suggestion of NBA secretariat may also be included after making certain modifications. The revised sub-rule is as follows:

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(1)	(2)	(3)	(4)	(5)	(6)
			a layman, it could lead to a mis-interpretation that the deleted functions are not to be exercised by the NBA. To know the complete functions of NBA, it is not advisable to ask someone to read some from the Act and some from the Rules. EC feels that the Rules should be self-contained. If not all the rules, at least a particular rule should be self-contained.		<i>(1) lay down the procedures and guidelines to implement the provisions of the Act including those under sections 3, 4, 5, 6, 19, 20, 21 and 36A; NBA may prepare sector-specific regulations / guidelines, as and when required.</i>

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(1)	(2)	(3)	(4)	(5)	(6)
(ii) determine, recommend, modify and collect of benefit sharing component under sections 6, 19, 20 and 21 of the Act in respect of biological resources and or traditional knowledge associated thereto from time to time for under sub section 2 of section 6 or charges of royalties under sub section (2) and (2A) of section 19 in respect of biological resources from time to time;	(ii) determine, and collect benefit sharing component under sections 6, 19, 20 and 21 of the Act in respect of biological resources and or traditional knowledge associated thereto from time to time;	Deleted (ii) determine, and collect benefit sharing component under sections 6, 19, 20 and 21 of the Act in respect of biological resources and or traditional knowledge associated thereto from time to time;	Hence, the EC strongly recommends that even for the sake of some repetition, these two sub-rules should not be deleted.		Authority agreed to the recommendation of the EC.
(iii) administer the National Biodiversity Fund;	(iii) administer the National Biodiversity Fund;	(1) administer the National Biodiversity Fund;			Due to insertion of new sub-rules, rule number has been modified

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
					(3) administer the National Biodiversity Fund;
(iv) advise the Central Government on any matter concerning conservation of biological diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge associated thereto;	(iv) advise the Central Government on any matter concerning the conservation of biodiversity, sustainable use of its components, and fair and equitable sharing of benefits arising out of the use of biological resources and knowledge associated thereto;	Deleted (iv) advise the Central Government on any matter concerning the conservation of biodiversity, sustainable use of its components, and fair and equitable sharing of benefits arising out of the use of biological resources and knowledge associated thereto;	EC agreed to the deletion of sub-rule.		Authority agreed to the recommendation of the EC.
(v) sanction grants in aid and grants to the state Biodiversity Boards or Union territory	(v) sanction grants to the State Biodiversity Boards or Union territory Biodiversity Councils and	(2). sanction grants to the State Biodiversity Boards or Union territory Biodiversity Councils and			Due to insertion of new sub-rules, rule number has been modified

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Biodiversity Councils and Biodiversity Management Committees for specific purposes;	Biodiversity Management Committees for specific purposes;	Biodiversity Management Committees for specific purposes;			(4). sanction grants to the State Biodiversity Boards or Union territory Biodiversity Councils and Biodiversity Management Committees for specific purposes;
(vi) decide on the format and contents of the mutually agreed terms of the various agreements to be executed between the parties embodying the approvals of the Authority;	(vi) decide on the format and contents of the mutually agreed terms of the various agreements to be executed between the parties embodying the approvals of the Authority;	(3). decide on the format and contents of the mutually agreed terms of the various agreements to be executed between the parties embodying the approvals of the Authority;			(5). decide on the format and contents of the mutually agreed terms of the various agreements to be executed between the parties embodying the approvals of the Authority;

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(vii) provide technical and legal advice, clarifications assistance and guidance to the State Biodiversity Boards or Union territory Biodiversity Councils for implementing the provisions of the Act;	(vii) provide technical and legal advice, clarifications and guidance to the State Biodiversity Boards or Union territory Biodiversity Councils for implementing the provisions of the Act;	(4). provide technical and legal advice, clarifications and guidance to the State Biodiversity Boards or Union territory Biodiversity Councils for implementing the provisions of the Act;			(6). provide technical and legal advice, clarifications and guidance to the State Biodiversity Boards or Union territory Biodiversity Councils for implementing the provisions of the Act;
(viii) coordinate the activities of the State Biodiversity Boards and the Union territory Biodiversity Councils;	(viii) coordinate the activities of the State Biodiversity Boards and the Union territory Biodiversity Councils;	(5). coordinate the activities of the State Biodiversity Boards and the Union territory Biodiversity Councils;			(7). coordinate the activities of the State Biodiversity Boards and the Union territory Biodiversity Councils;
(ix) specify the electronic and or manual formats of the People's Biodiversity Register and lay down the	(ix) specify the electronic and or manual formats of the People's Biodiversity Register and lay down the	(6). specify the electronic and/ or manual formats of the People's Biodiversity Register and	EC agreed to this modification		Authority agreed to the recommendation of the EC and also

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
procedure for documentation of information related to biodiversity, its periodic updating, securely maintaining it in an electronic form and for sharing of such information;	procedure for documentation of information related to biodiversity, its periodic updating, securely maintaining it in an electronic form and for sharing of such information;	lay down the procedure for documentation of information related to biodiversity, its periodic updating, securely maintaining it in an electronic/ digitized form and for sharing of such information;			renumbered the sub-rule. (8) specify the electronic and/ or manual formats of the People's Biodiversity Register and lay down the procedure for documentation of information related to biodiversity, its periodic updating, securely maintaining it in an electronic/ digitized form and for sharing of such information;
(x) develop databases and documentation	(x) develop databases and documentation systems for	(7). develop databases and documentation	EC agreed to this modification.		Authority agreed to the recommendation of the

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
systems for biological resources and traditional knowledge associated thereto including through People's Biodiversity Registers;	biological resources and traditional knowledge associated thereto including through People's Biodiversity Registers;	systems for biological resources and traditional knowledge associated thereto through People's Biodiversity Registers <i>in a given geographical area;</i>			EC and also renumbered the sub-rules. <i>(9)</i> develop databases and documentation systems for biological resources and traditional knowledge associated thereto through People's Biodiversity Registers in a given geographical area;
<i>(xi) provide guidance and technical support to the Biodiversity Management Committees through the State Biodiversity Board/Union territory</i>	(xi) provide guidance and technical support to the Biodiversity Management Committees through the State Biodiversity Board/Union territory	(8). provide guidance and technical support to the Biodiversity Management Committees through the State Biodiversity Board/Union			<i>(10).</i> provide guidance and technical support to the Biodiversity Management Committees through

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Biodiversity Council for preparation, validation and maintenance of the People's Biodiversity Registers;	Biodiversity Council or directly, if required for preparation, validation and maintenance of the People's Biodiversity Registers;	territory Biodiversity Council or directly, if required for preparation, validation and maintenance of the People's Biodiversity Registers;			the State Biodiversity Board/Union territory Biodiversity Council or directly, if required for preparation, validation and maintenance of the People's Biodiversity Registers;
(xii) report to the Central Government about the functioning of the Authority and implementation of the Act;	(xii) report to the Central Government about the functioning of the Authority and implementation of the Act;	(9). report to the Central Government about the functioning of the Authority and implementation of the Act;			(11). report to the Central Government about the functioning of the Authority and implementation of the Act;
12(ix) plan and organise training of personnel engaged or likely to be engaged in programmes for the conservation of bio-diversity and	This was merged with 12(xvii)]				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
sustainable use of its components;					
(xiii) undertake physical inspect any area in connection with the implementation of the Act;	(xiii) inspect any area and examine documents in connection with the implementation of the Act;	(10). inspect any area and examine documents in connection with the implementation of the Act;			(12). inspect any area and examine documents in connection with the implementation of the Act;
(xiv) give directions to State Bio-diversity Boards and the Bio-diversity Management Committees and Biodiversity Management Committees in writing for effective implementation of the Act;	(xiv) give directions to State Biodiversity Boards or Union territory Biodiversity Councils and the Biodiversity Management Committees for effective implementation of the Act;	Deleted (xiv) give directions to State Biodiversity Boards or Union territory Biodiversity Councils and the Biodiversity Management Committees for effective implementation of the Act;	EC agreed to the deletion of sub-rule.		Authority agreed to the recommendation of the EC
(xv) collect, compile and publish technical and statistical data, manuals,	(xv) collect, compile and publish technical and statistical data, manuals,	(11). collect, compile and publish technical and statistical data, manuals,			Authority agreed to the recommendation of the

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
codes or guides relating to biological diversity including conservation of biodiversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge associated thereto;	codes or guides relating to biodiversity including conservation, sustainable use of its components, and fair and equitable sharing of benefits arising out of the use of biological resources and knowledge associated thereto;	codes or guides relating to biodiversity including conservation, sustainable use of its components, and fair and equitable sharing of benefits arising out of the use of biological resources and knowledge associated thereto;			EC and renumbered the sub-rule. (13) collect, compile and publish technical and statistical data, manuals, codes or guides relating to biodiversity including conservation, sustainable use of its components, and fair and equitable sharing of benefits arising out of the use of biological resources and knowledge associated thereto;
(xvi) sponsor studies, research, investigations, projects, workshops, seminars, conferences, etc., commission, and	(xvi) sponsor studies, research, investigations, projects, workshops, seminars, conferences,	(12). sponsor studies, research, investigations, projects, workshops, seminars, conferences,			(14). sponsor studies, research, investigations, projects, workshops, seminars,

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
research to achieve the objectives of the Act.	etc., to achieve the objectives of the Act;	etc., to achieve the objectives of the Act;			conferences, etc., to achieve the objectives of the Act;
(xvii) creating awareness, and organize training and capacity building programmes for all stakeholders including the line departments and academic, scientific and research institutions for achieving the objectives of the Act;	(xvii) create awareness and organize training and capacity building programmes for all stakeholders including the line departments and academic, scientific and research institutions for achieving the objectives of the Act;	(13). create awareness and organize training and capacity building programmes for all stakeholders including the line departments and academic, scientific and research institutions for achieving the objectives of the Act;			(15). create awareness and organize training and capacity building programmes for all stakeholders including the line departments and academic, scientific and research institutions for achieving the objectives of the Act;
(xviii) prepare the annual budget, maintain proper accounts and other relevant records, and prepare an annual statement of accounts in	(xviii) prepare the annual budget, maintain proper accounts and other relevant records, and prepare an annual statement of accounts in	(14). prepare the annual budget, maintain proper accounts and other relevant records, and prepare an annual statement of accounts in			(16). prepare the annual budget, maintain proper accounts and other relevant records, and prepare an annual

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
such form, as may be prescribed by the Central Government;	such form, as may be prescribed by the Central Government;	such form, as may be prescribed by the Central Government;			statement of accounts in such form, as may be prescribed by the Central Government;
(xix) approve the method of frame regulations governing the recruitment conditions of service of the officials a officials and servants of the Authority;	(xix) frame regulations governing the recruitment and conditions of service of the officials of the Authority;	(15). frame regulations governing the recruitment and conditions of service of the officials of the Authority;			<i>(17).</i> frame regulations governing the recruitment and conditions of service of the officials of the Authority;
(xx) engage consultants and advisors, for a specific period, not exceeding three years, for providing technical assistance to the Authority in the effective discharge of its functions: Provided that if it is necessary and expedient	(xx) engage consultants and advisors, for a specific period, not exceeding three years, for providing assistance to the Authority for the effective discharge of its functions: Provided that if it is necessary and expedient to engage any consultant	(16). engage consultants and advisors, for a specific period, not exceeding three years, for providing assistance to the Authority for the effective discharge of its functions: Provided that if it is necessary and expedient			<i>(18).</i> engage consultants and advisors, for a specific period, not exceeding three years, for providing assistance to the Authority for the effective discharge of its functions: Provided that if it is necessary and

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
to engage any consultant or advisor beyond the period of three years, the Authority shall seek prior approval of the Central Government for such an engagement.	or advisor beyond a period of three years, the Authority shall seek prior approval of the Central Government.	to engage any consultant or advisor beyond a period of three years, the Authority shall seek prior approval of the Central Government.			expedient to engage any consultant or advisor beyond a period of three years, the Authority shall seek prior approval of the Central Government.
(xxi) take necessary measures including appointment of legal domain experts to oppose grant of intellectual property rights within or any country outside India on any biological resource and traditional knowledge associated thereto obtained from India in violation of the extant laws and rules. an illegal manner;	(xxi) take necessary measures including the appointment of domain experts to oppose the grant of intellectual property rights within or outside India on any biological resource and traditional knowledge associated thereto obtained from India in violation of the extant laws and rules;	Deleted (xxi) take necessary measures including the appointment of domain experts to oppose the grant of intellectual property rights within or outside India on any biological resource and traditional knowledge associated thereto obtained from India in	EC agreed to the deletion of this sub-rule		Authority agreed to the recommendation of the EC to delete the sub-rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
		violation of the extant laws and rules;			
(xxii) recommend creation of posts, periodic revision of recruitment rules, pay and allowances and terms and conditions of service to the Central Government for effective discharge of the functions by the Authority;	(xxii) recommend creation of posts, periodic revision of recruitment rules, pay and allowances and terms and conditions of service to the Central Government for effective discharge of the functions by the Authority;	(17). recommend creation of posts, periodic revision of recruitment rules, pay and allowances and terms and conditions of service to the Central Government for effective discharge of the functions by the Authority;			(19). recommend creation of posts, periodic revision of recruitment rules, pay and allowances and terms and conditions of service to the Central Government for effective discharge of the functions by the Authority;
(xxiii) formulate procedures for engaging personnel on a contractual basis as per the guidelines issued by the Central Government from time to time;	(xxiii) formulate procedures for engaging personnel on a contractual basis as per the guidelines issued by the Authority from time to time.	Deleted (xxiii) formulate procedures for engaging personnel on a contractual basis as per the guidelines issued by the Authority from time to time.	EC agreed to the deletion of this sub-rule.		Authority agreed to the recommendation of the EC to delete the sub-rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(xxiv) function as a Competent National Authority for the purposes of Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity;	(xxiv) function as a Competent National Authority for the purposes of Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity;	(18). function as a Competent National Authority for the purposes of Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity;			(20). function as a Competent National Authority for the purposes of Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity;
(xxv) adjudicate the disputes of State Biodiversity Boards and or Union territory Biodiversity Councils as referred to by the Central Government;	(xxv) adjudicate the disputes of State Biodiversity Boards and or Union territory Biodiversity Councils as referred to by the Central Government;	(19). adjudicate the disputes of State Biodiversity Boards and/ or Union territory Biodiversity Councils as referred to by the Central Government;			(21). adjudicate the disputes of State Biodiversity Boards and/ or Union territory Biodiversity Councils as referred to by the Central Government;
(xxvi) lay down model procedural guidelines for	(xxvi) lay down model procedural guidelines for	(20). lay down model procedural guidelines for			(22). lay down model procedural guidelines

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
adjudicating disputes of the Biodiversity Management Committees by the State Biodiversity Boards or Union territory Biodiversity Councils;	adjudicating disputes of the Biodiversity Management Committees by the State Biodiversity Boards or Union territory Biodiversity Councils;	adjudicating disputes of the Biodiversity Management Committees by the State Biodiversity Boards or Union territory Biodiversity Councils;			for adjudicating disputes of the Biodiversity Management Committees by the State Biodiversity Boards or Union territory Biodiversity Councils;
(xxvii) develop procedures, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils, or any other authority as deemed appropriate, for seeking exemption under sub-section (1) of section 7 on production of a certificate of origin of cultivated medicinal plants;	(xxvii) develop procedures, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils, or any other authority as deemed appropriate, for seeking exemption under sub-section (1) of section 7 on production of a certificate of origin of cultivated medicinal plants;	(21). develop procedures, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils, National Medicinal Plants Board of Ministry of AYUSH , or any other authority as deemed appropriate, for seeking exemption under sub-section (1) of section 7 on production of a certificate	EC agreed to the modification.		Authority agreed to the recommendation of the EC and renumbered the sub-rule. (23) develop procedures, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils, National Medicinal Plants Board of

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		of origin of cultivated medicinal plants;			Ministry of AYUSH, or any other authority as deemed appropriate, for seeking exemption under sub-section (1) of section 7 on production of a certificate of origin of cultivated medicinal plants
(xxviii) may suggest guidelines for framing rules by the State Government/Union territory Administration for conservation and management of the areas of biodiversity importance notified as biodiversity heritage sites;	(xxviii) may suggest guidelines for framing rules by the State Government/Union territory Administration for conservation and management of the areas of biodiversity importance notified as biodiversity heritage sites;	(22). may suggest guidelines for framing rules by the State Government/Union territory Administration for conservation and management of the areas of biodiversity importance notified as biodiversity heritage sites			(24). may suggest guidelines for framing rules by the State Government/Union territory Administration for conservation and management of the areas of biodiversity importance notified as biodiversity heritage sites

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(xxix) formulate model guidelines for levy of collection charges by the Biodiversity Management Committees for accessing biological resources from their jurisdiction;	(xxix) formulate model guidelines for levy of collection charges by the Biodiversity Management Committees for accessing biological resources from their jurisdiction;	(23). formulate model guidelines for levying charges by way of collection fee by the Biodiversity Management Committees for accessing biological resources from their jurisdiction;	EC agreed to the modification		Authority agreed to the recommendation of the EC and renumbered the sub-rule. (25) formulate model guidelines for levying charges by way of collection fee by the Biodiversity Management Committees for accessing biological resources from their jurisdiction;
(xxx) facilitate the Biodiversity Management Committees, whenever necessary, for providing	(xxx) facilitate the Biodiversity Management Committees, whenever necessary, for providing	(24). facilitate the Biodiversity Management Committees, whenever necessary, for providing			(26). facilitate the Biodiversity Management Committees, whenever necessary, for

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
prior informed consent by the local communities for access to biological resources and the traditional knowledge associated thereto;	prior informed consent by the local communities for access to biological resources and the traditional knowledge associated thereto;	prior informed consent by the local communities for access to biological resources and the traditional knowledge associated thereto;			providing prior informed consent by the local communities for access to biological resources and the traditional knowledge associated thereto;
(xxxii) upgrade its website to integrate the websites of all the State Biodiversity Boards and Union territory Biodiversity Councils for effective implementation of the provisions of the Act in a user-friendly way;	12(xxxi) develop a comprehensive friendly online Information Technology portal for the discharge of its various duties and functions in a transparent and accountable manner.	(25). develop a comprehensive friendly online Information Technology portal for the discharge of its various duties and functions in a transparent and accountable manner.			(27). develop a comprehensive friendly online Information Technology portal for the discharge of its various duties and functions in a transparent and accountable manner.
(xxxii) perform de such other functions as may be assigned or directed by the Central Government may direct or assign to	(xxxii) perform such other functions as the Central Government may direct or assign to the Authority from time to time.	Deleted perform such other functions as the Central Government may direct or assign to the Authority from time to time.	EC agreed to the deletion of sub-rule.		Authority agreed to the recommendation of the EC to delete the sub-rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
the Authority from time to time.					
13 Powers and duties of Chairperson	13 Powers and duties of Chairperson-.	12) Powers and duties of Chairperson.			
(1) The Chairperson shall have the overall control of the day - to - day activities of the Authority.	(1) The Chairperson shall have overall control of the day-to-day activities of the Authority.	(1) The Chairperson shall have overall control of the day-to-day activities of the Authority.			
(2) Subject to the provisions of section 10, The Chairperson shall have the powers of general superintendence over the officials officers and staff of the Authority and he may issuing necessary directions for the conduct and	(2) The Chairperson shall have the powers of general superintendence over the officials of the Authority and issuing necessary directions for the conduct and management of the functions of the Authority.	(2) The Chairperson shall have the powers of general superintendence over the officials of the Authority and issuing necessary directions for the conduct and management of the functions of the Authority.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
management of the affairs functions of the Authority.					
13 (3) The Chairperson shall be in charge of all the confidential papers and records of the Authority and shall be responsible for their safe custody.	Deleted	-	-	-	-
13 (4) All orders and instructions to be issued by the Authority shall be under the signature of the Chairperson or of any other officer authorised by the Chairperson in this behalf.	Deleted	-	-	-	-
(3) The Chairperson, either directly or himself or through the Member	(3) The Chairperson, either directly or through the Member-Secretary or any	(3) The Chairperson, either directly or through the Member-Secretary or any			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Secretary or any other officer an officer of the Authority authorized for the purpose, may sanction and disburse all payments against the approved budget.	other officer of the Authority authorized for the purpose, may sanction and disburse all payments against the approved budget.	other officer of the Authority authorized for the purpose, may sanction and disburse all payments against the approved budget.			
(4) The Chairperson shall have full powers for granting administrative, financial and technical sanction to all the proposals. estimates.	(4) The Chairperson shall have full powers for granting administrative, financial and technical sanctions to all the proposals.	(4) The Chairperson shall have full powers for granting administrative, financial and technical sanctions to all the proposals.			
(5) The Chairperson may delegate the powers of the "Head of the Department" to the Member-Secretary and the "Head of the Office" to	5) The Chairperson may delegate the powers of the "Head of the Department" to the Member-Secretary and the "Head of the Office" to any officer not	(5) The Chairperson may delegate the powers of the "Head of the Department" to the Member-Secretary and the "Head of the Office" to any officer not			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
any officer not below the rank of Section Officer in the Government of India.	below the rank of Section Officer in the Government of India.	below the rank of Section Officer in the Government of India.			
(6) The Chairperson shall take all necessary measures for the implementation of all decisions taken by the Authority,	(6) The Chairperson shall take all necessary measures for the implementation of all decisions taken by the Authority in proper manner.	(6) The Chairperson shall take all necessary measures for the implementation of all decisions taken by the Authority in proper manner.			
(7) To meet the present and imminent emergency situations that threaten, or damage human, animal or plant health as determined nationally and internationally, the Chairperson shall exercise the powers of the	(7) To meet the present and imminent emergency situations that threaten, or damage human, animal or plant health as determined nationally and internationally, the Chairperson shall exercise the powers of the Authority	(7) To meet the present and imminent emergency situations like epidemics and pandemics particularly those that threaten, or damage human, animal or plant health as determined at national and	EC agreed to this modification.		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Authority for granting expeditious approvals and shall place all such approvals before the next meeting of the Authority for ratification.	for granting expeditious approvals and shall place all such approvals before the next meeting of the Authority for ratification.	international level , the Chairperson shall exercise the powers of the Authority for granting expeditious approvals and shall place all such approvals before the next meeting of the Authority for ratification.			
(8) The Chairperson shall exercise such other powers and perform such other functions as may be delegated by the Authority or the Central Government from time to time.	(8) The Chairperson shall exercise such other powers and perform such other functions as may be delegated by the Authority or the Central Government from time to time.	(8) The Chairperson shall exercise such other powers and perform such other functions as may be delegated by the Authority or the Central Government from time to time.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
14 Constitution of Biodiversity Management Committees	14) Constitution of Biodiversity Management Committees.-	14) Constitution of Biodiversity Management Committees.-	EC agreed to the deletion of this Rule. The NBA may notify it separately in the form of guidelines for the states/UTs.		Authority agreed to the recommendation of the EC.
(1) Every local body, <i>at the Gram Panchayat level in the rural areas and at the Nagar Panchayat or Municipal Committee or Municipal Corporation level in the urban areas,</i> shall constitute a Biodiversity Management Committee <i>(by whatever name called)</i> within its area of jurisdiction: <i>Provided that the State Government/ Union territory Administration may constitute</i>	(1) Every local body, at the Gram Panchayat level in the rural areas and at the Nagar Panchayat or Municipal Committee or Municipal Corporation level in the urban areas, shall constitute a Biodiversity Management Committee (by whatever name called) within its area of jurisdiction: Provided that the State Government/Union territory Administration may constitute Biodiversity	(1) Every local body, at the Gram Panchayat level in the rural areas and at the Nagar Panchayat or Municipal Committee or Municipal Corporation level in the urban areas, shall constitute a Biodiversity Management Committee (by whatever name called) within its area of jurisdiction: Provided that the State Government/Union territory Administration may constitute Biodiversity			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
Biodiversity Management Committees at the Intermediate or District Panchayat level for achieving the objectives of the Act.	Management Committees at the Intermediate or District Panchayat level for achieving the objectives of the Act.	Management Committees at the Intermediate or District Panchayat level for achieving the objectives of the Act.			
(2) The composition of the Biodiversity Management Committee shall be such as may be prescribed by the State Government/Union territory Administration: Provided that the number of the members of the Committee shall not be less than seven and not exceeding eleven, of whom, not less than one-third should be women and not less than 18%	(2) The composition of the Biodiversity Management Committee shall be such as may be prescribed by the State Government/Union territory Administration: Provided that the number of the members of the Committee shall not be less than seven and not exceeding eleven, of whom, not less than one-third should be women and not less than 18% should	(2) The composition of the Biodiversity Management Committee shall be such as may be prescribed by the State Government/Union territory Administration: Provided that the number of the members of the Committee shall not be less than seven and not exceeding eleven, of whom, not less than one-third should be women and not less than 18% should			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
should belong to the Scheduled Castes/Scheduled Tribes.	belong to the Scheduled Castes/Scheduled Tribes.	belong to the Scheduled Castes/Scheduled Tribes.			
(3) The Chairperson of the Biodiversity Management Committee shall be elected from amongst the members of the committee. in a meeting to be chaired by the Chairperson of the local body. The Chairperson of the local body shall have the casting vote in case of a tie.	(3) The Chairperson of the Biodiversity Management Committee shall be elected from amongst the members of the Committee.	(3) The Chairperson of the Biodiversity Management Committee shall be elected from amongst the members of the Committee.			
(4) The Biodiversity Management Committee shall continue to function till the election of the new Chairperson and	4) The Biodiversity Management Committee shall continue to function till the election of the new	4) The Biodiversity Management Committee shall continue to function till the election of the new	EC agreed to the deletion of the Rule 14.		Authority agreed to the recommendation of the EC and sub-rule has been deleted and necessary changes

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
members of the Committee. The tenure of the Chairperson and members of the Biodiversity Management Committee shall be co-terminus with the tenure of the local body.	Chairperson and members of the Committee.	Chairperson and members of the Committee.	However, in view of the justification given under sub-rule 2(d), sub-rule 14(4) has been proposed to be inserted under the definition of BMC.		have been made in sub-rule 2(d).
(5) The local Member of Legislative Assembly or Member of Legislative Council and Member of Parliament, may be the special invitees to the meetings of the Biodiversity Management Committee as prescribed by the State Government or Union territory Administration.	(5) The local Member of the Legislative Assembly or Member of Legislative Council and Member of Parliament may be the special invitees to the meetings of the Biodiversity Management Committee as prescribed by the State Government or Union territory Administration.	(5) The local Member of the Legislative Assembly or Member of Legislative Council and Member of Parliament may be the special invitees to the meetings of the Biodiversity Management Committee as prescribed by the State Government or Union territory Administration.	EC agreed to the deletion of the sub-rule.		Authority agreed to the recommendation of the EC to delete the sub-rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
15 Functions of the Biodiversity Management Committee	15 Functions of the Biodiversity Management Committee	15 Functions of the Biodiversity Management Committee	EC agreed to the deletion of rule 15. The NBA may notify it separately in the form of guidelines for the states/UTs.		Authority agreed to the recommendation of the EC.
(1) The functions of the Biodiversity Management Committee include preparation, validation, and maintenance of People's Biodiversity Register in consultation with the local people and through technical support, maintain data of the local vairs, hakims and registered AYUSH practitioners and other holders of traditional knowledge, and details of biological resources and or traditional knowledge	(1) The functions of the Biodiversity Management Committee include preparation, documentation , validation, and maintenance of People's Biodiversity Register in consultation with the local people and through technical support, maintain data of the local vairs, <i>hakims</i> and registered AYUSH practitioners and other holders of traditional knowledge, and details of biological resources and or	(1) The functions of the Biodiversity Management Committee include preparation, documentation, validation, and maintenance of People's Biodiversity Register in consultation with the local people and through technical support, maintain data of the local vairs, <i>hakims</i> and registered AYUSH practitioners and other holders of traditional knowledge, and details of biological resources and or			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
associated thereto occurring within its jurisdiction.	traditional knowledge associated thereto occurring within its jurisdiction.	traditional knowledge associated thereto occurring within its jurisdiction.			
(2) The People's Biodiversity Register shall document details of wild and cultivated/domesticated flora and fauna and chronicling of traditional knowledge associated thereto.	(2) The People's Biodiversity Register shall document details of wild and cultivated/domesticated flora and fauna including micro-organisms and chronicling of traditional knowledge associated thereto and information related to biodiversity.	(2) The People's Biodiversity Register shall document details of wild and cultivated/domesticated flora and fauna including micro-organisms and chronicling of traditional knowledge associated thereto and information related to biodiversity.			
(3) The Committee shall maintain books of record of the cultivated medicinal plants as prescribed in Format '11C' and issue certificate of origin of such cultivated medicinal	(3) The Committee shall maintain books of record of the cultivated medicinal plants as prescribed in Format '11C' and issue certificate of origin of such cultivated medicinal plants	(3) The Committee shall maintain books of record of the cultivated medicinal plants as prescribed in Format '11C' and issue certificate of origin of such cultivated medicinal plants to			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
plants to the persons who desire to claim exemption under proviso to sub-section (1) of section 7 of the Act.	to the persons who desire to claim exemption under proviso to sub-section (1) of section 7 of the Act.	the persons who desire to claim exemption under proviso to sub-section (1) of section 7 of the Act.			
(4) The Committee shall actively engage in the conservation and management of the biodiversity heritage sites so notified in its jurisdiction, in accordance with the guidelines issued in this behalf.	(4) The Committee shall actively engage in the conservation and management of the biodiversity heritage sites so notified in its jurisdiction, in accordance with the guidelines issued in this behalf.	(4) The Committee shall actively engage in the conservation and management of the biodiversity heritage sites so notified in its jurisdiction, in accordance with the guidelines issued in this behalf.			
(5) The Committee shall take measures to promote conservation and sustainable use of biological resources, and conserve landraces and folk varieties, farmers'	(5) The Committee shall take measures to promote conservation and sustainable use of biological resources, and conserve landraces and folk varieties, farmers'	(5) The Committee shall take measures to promote conservation and sustainable use of biological resources, and conserve landraces and folk varieties, farmers'			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
varieties, cultivars, micro-organisms and all other flora and fauna, etc., in accordance with the regulations and guidelines issued by the authorities concerned.	varieties, cultivars, micro-organisms and all other flora and fauna, etc., in accordance with the regulations and guidelines issued by the authorities concerned.	organisms and all other flora and fauna, etc., in accordance with the regulations and guidelines issued by the authorities concerned.			
(6) The Committee may levy charges by way of collection fees from any person for accessing any biological resource for commercial purposes from the areas falling within its territorial jurisdiction.	(6) The Committee may levy charges by way of collection fees from any person for accessing any biological resource for commercial purposes from the areas falling within its territorial jurisdiction.	(6) The Committee may levy charges by way of collection fees from any person for accessing any biological resource for commercial purposes from the areas falling within its territorial jurisdiction.			
(7) The Committee shall ensure that the biological resources being accessed from its jurisdiction are in	(7) The Committee shall ensure that the biological resources being accessed from its jurisdiction are in accordance with the	(7) The Committee shall ensure that the biological resources being accessed from its jurisdiction are in accordance with the approval			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
accordance with the approval granted by the Authority or the State Biodiversity Board or the Union territory Biodiversity Council, as the case may be.	approval granted by the Authority or the State Biodiversity Board or the Union territory Biodiversity Council, as the case may be.	granted by the Authority or the State Biodiversity Board or the Union territory Biodiversity Council, as the case may be.			
(8) The Committee may advise on any matter referred to it by the Authority or the State Biodiversity Board or the Union territory Biodiversity Council. for granting approval. to maintain data about the local vairs and practitioners using the biological resources	(8) The Committee may advise on any matter referred to it by the Authority or the State Biodiversity Board or the Union territory Biodiversity Council.	(8) The Committee may advise on any matter referred to it by the Authority or the State Biodiversity Board or the Union territory Biodiversity Council.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(9)The Committee before conveying its views to the Authority, may consult, wherever required, the concerned community, individual or entity, as the case may be, to ensure their prior informed consent in accordance with the facilitation provided by the Authority.	(9)The Committee before conveying its views to the Authority, may consult, wherever required, the concerned community, individual or entity, as the case may be, to ensure their prior informed consent in accordance with the facilitation provided by the Authority.	(9)The Committee before conveying its views to the Authority, may consult, wherever required, the concerned community, individual or entity, as the case may be, to ensure their prior informed consent in accordance with the facilitation provided by the Authority.			
24(6) The Authority shall take steps to specify the form of the People's Biodiversity Registers, and the particulars it shall contain and the format for electronic database.	Deleted	-			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
24(1) The Authority and the State Biodiversity Boards shall provide guidance and technical support to the Biodiversity Management Committees for preparing People's Biodiversity Registers.	Deleted	-			
24(6) The People's Biodiversity Registers shall be maintained and validated by the Biodiversity Management Committees.	Deleted	-			
(10) The Committee shall also maintain a record of information containing the details of the access to biological resources and traditional knowledge	(10) The Committee shall also maintain a record of information containing the details of the access to biological resources and traditional knowledge	(10) The Committee shall also maintain a record of information containing the details of the access to biological resources and traditional knowledge			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
granted, the collection fee levied, benefits derived and the mode of their sharing.	granted, the collection fee levied, benefits derived and the mode of their sharing.	granted, the collection fee levied, benefits derived and the mode of their sharing.			
16) Procedure for access to biological resources and or knowledge associated thereto. –	16) Procedure for access to biological resources and or knowledge associated thereto.–	13) Procedure for access to biological resources and/or knowledge associated thereto. –	EC agreed to the modification in the rule.		Authority agreed to the recommendation of the EC
(1) Any person, referred to in sub-section (2) of section 3 of the Act, seeking approval of the Authority for access to biological resources and or knowledge associated thereto for research or for bio-survey and bio-utilization shall make an	(1) Any person, referred to in sub-section (2) of section 3 of the Act, seeking approval of the Authority for access to biological resources and or knowledge associated thereto for research or for bio-survey and bio-utilization shall make an	(1) Any person, referred to in sub-section (2) of section 3 of the Act, seeking approval of the Authority for access to biological resources and/or knowledge associated thereto for research or for bio-survey and bio-utilization shall make an	EC agreed to the modification in the sub-rule.		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
application on the web portal of the Authority in Form '1' and for commercial utilization shall make an application on the web portal of the Authority in Form '2'.	application on the web portal of the Authority in Form '1' and for commercial utilization shall make an application on the web portal of the Authority in Form '2'.	application on the web portal of the Authority in Form '1', and for commercial utilization shall make an application on the web portal of the Authority in Form '2'.			
(2)Any person who was in possession of a biological resource before the coming into force of the Biological Diversity (Amendment) Act, 2023, shall seek approval of the Authority for the purpose of research, commercial utilization, bio-survey and bio-utilization.	(2)Any person who was in possession of a biological resource before the coming into force of the Biological Diversity (Amendment) Act, 2023, shall seek approval of the Authority for the purpose of research, commercial utilization, bio-survey and bio-utilization.	(2) Any person, referred to in sub-section (2) of section 3 of the Act, who was in possession of a biological resource before the coming into force of the Biological Diversity (Amendment) Act, 2023, shall seek approval of the Authority for the purpose of research, commercial	EC agreed to the modification in the sub-rule.		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		utilization, bio-survey and bio-utilization.			
(3) Every application under sub- rule (1) shall be accompanied by a <i>prescribed</i> fee in the form of <i>electronic transfer</i> to the National Biodiversity Fund.	(3) Every application under sub-rule (1) shall be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund.	(3) Every application under sub-rule (1) shall be accompanied by a prescribed fee in the form of electronic transfer / <i>digital payment</i> to the National Biodiversity Fund.	EC agreed to the modification in the sub-rule.		Authority agreed to the recommendation of the EC
(4) The Authority shall after consultation with the concerned Biodiversity Management Committees either directly or through State Biodiversity Boards / Union territory Biodiversity Councils, and collecting such additional information from the	(4) The Authority shall after consultation with the concerned Biodiversity Management Committee(s) either directly or through State Biodiversity Board(s) or Union territory Biodiversity Council(s) and after collecting such additional	(4) The Authority <i>may</i> , after consultation with the concerned Biodiversity Management Committee(s) either directly or through State Biodiversity Board(s) or Union territory Biodiversity Council(s), and after collecting such additional	EC agreed to the modification in the sub-rule.		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
applicant and other sources, as required, and based on the merits of the application, may accord approval subject to such terms and conditions, including benefit sharing, or reject, as deemed fit within a period of 90 days from its receipt in complete form. Provided that if the requisite information sought by the Authority has not been made available within a period of 30 days by the applicant, the application will be liable for closure.	information from the applicant and other sources, as required, and based on the merits of the application, may accord approval subject to terms and conditions, including benefit sharing, or reject, as deemed fit within a period of 90 days from its receipt in complete form: Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application	information from the applicant and other sources, as required, and based on the merits of the application, may accord approval subject to terms and conditions, including benefit sharing, or reject, as deemed fit within a period of 90 days from the receipt of the application in complete form: Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>Provided further that the Biodiversity Management Committee before conveying its views to the Authority, may consult, wherever required, to ensure prior informed consent by the concerned community, individual or entity, as the case may be.</p> <p>Provided also that in cases of present or imminent emergencies, the Authority shall process the case expeditiously.</p>	<p>will be liable for closure. The applicant will be informed about the closure:</p> <p>Provided further that the Biodiversity Management Committee before conveying its views to the Authority, may consult, wherever required, the concerned community, individual or entity, as the case may be, to ensure their prior informed consent:</p> <p>Provided also that in cases of present or imminent emergencies, the Authority</p>	<p>will be liable for closure. The applicant will be informed about the closure:</p> <p>Provided further that the Biodiversity Management Committee before conveying its views to the Authority, may consult, wherever required, the concerned community, individual or entity to whom the bio-resource belongs to, as the case may be, to ensure their prior informed consent:</p> <p>Provided also that in cases of present or imminent emergencies, the Authority</p>	<p>With regard to the inclusion of sentence “<i>to whom the bio-resource belongs to</i>”, the EC opined that CBD reaffirms sovereign rights of the nation and they do not belong to a particular person. Further, the inclusion of the text does not add value. Further it was emphasized that the phrase “<i>to whom the bio-resources belongs to</i>” may create legal issues</p>	<p>NBA secretariat supports the Ministry’s version and disagrees with EC</p>	<p>Authority has not agreed to the recommendation of the EC. However, suggestion made by the NBA secretariat was considered and decided to retain the sub-rule proposed by the MoEFCC as in column (3).</p>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
	shall process the application expeditiously.	shall process the application expeditiously.	and it contradicts with the basic principle of the statute. The word “concerned” covers all the possibilities and seems to be sufficient.		
On being satisfied with the merit of the application, the Authority may grant the approval for access to biological resources and associated knowledge subject to such term and conditions as it may deem fit to impose	Deleted	-	-	-	-
(5) The approval to access shall be in the form of an written agreement on mutually	(5) The approval to access shall be in the form of an agreement on mutually agreed terms duly signed	(5) The approval to access shall be in the form of an agreement on mutually agreed terms duly signed	EC agreed to the Rule as in column (3) subject to following changes;		EC agreed to the Rule as in column (3) subject to following changes;

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p><i>agreed terms</i> duly signed by an authorized officer of the Authority and the applicant.</p> <p><i>Provided that the Authority may close the application, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority. The applicant will be informed about the closure.</i></p>	<p>by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule (3) within a period of 90 days.</p>	<p>by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule (3) within a period of 90 days.</p>	<p>(5) <i>The approval to access shall be in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</i></p> <p><i>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority,</i></p>		<p>(5) The approval to access shall be in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. Such</p>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			upon intimation to the applicant. The se Such closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule (3) within a period of 90 days		closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule (3) within a period of 90 days.
(6) The format of the agreement referred to under sub-rule (5) shall be as prescribed under rule 17 of these rules.	(6) The format of the agreement referred to under sub-rule (5) shall be as prescribed under rule 17 of these rules.	(6) The format of the agreement referred to under sub-rule (5) shall be as prescribed under rule 17 of these rules.	EC agreed to the deletion of sub-rule.		Authority agreed to the recommendation of the EC.
(7) The Authority, may for reasons to be recorded in writing, reject an application if it considers	(7) The Authority may for reasons to be recorded in writing reject an application if it considers that the	(6) The Authority may for reasons to be recorded in writing, reject an application if it considers			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
that the request cannot be acceded to. Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	request cannot be acceded to: Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	that the request cannot be acceded to: Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.			
14(9) No application shall be rejected unless the applicant is given a reasonable opportunity of being heard.	Deleted	-	-	-	-
(8) The Authority shall take steps to widely publicize all the approvals granted or rejected on its	(8) The Authority shall publicize all the approvals granted or rejected on its own website and shall	(7) The Authority shall publicize all the approvals granted or rejected on its own website and shall	EC agreed to the modification subject to following change:		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
website. The Authority shall also make available relevant information on the Access and Benefit Sharing-Clearing House web portal of the Convention on Biological Diversity to constitute internationally recognized certificate of compliance. through print or electronic media and shall periodically monitor compliance of conditions on which the approval was accorded.	also ensure that such information is shared to other agencies, as may be required.	also ensure that such information is shared with other agencies, as may be required.	(7) The Authority shall publicize all the approvals granted or rejected on its own website and shall also ensure that such information is shared with other agencies, as may be required.		
(9) The compliance to the terms and conditions of the agreement shall be monitored by the Authority by involving State	(9) The compliance to the terms and conditions of the agreement shall be monitored by the Authority by involving State	(8) The compliance with the terms and conditions of the agreement shall be monitored by the Authority by involving State	EC agreed to the modification in the sub-rule.		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Biodiversity Board or Union territory Biodiversity Council, Biodiversity Management Committee or any other agency as deemed appropriate by the Authority.	Biodiversity Board or Union territory Biodiversity Council, Biodiversity Management Committee or any other agency as deemed appropriate by the Authority.	Biodiversity Board or Union territory Biodiversity Council, Biodiversity Management Committee or any other agency as deemed appropriate by the Authority.			
17) Format of the agreement for according approvals.-	17) Format of the agreement for according approvals.-	17) Format of the agreement for according approvals.-	EC agreed to the deletion of this rule		Authority agreed to the recommendation of the EC to delete the entire rule.
The format of the agreement for according approvals under sections 3, 4, and 6 of the Act shall include the following, namely: -	The format of the agreement for according approvals under sections 3, 4, and 6 of the Act shall include the following, namely: -	The format of the agreement for according approvals under sections 3, 4, and 6 of the Act shall include the following, namely:-			
(1) general objectives and purpose of the application for seeking approval;	(1) general objectives and purpose;	(1) general objectives and purpose;			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
17(2) description of the biological resource(s) and knowledge associated thereto including accompanying information;	(2) details of the biological resource(s) and knowledge associated thereto including accompanying information;	(2) details of the biological resource(s) and knowledge associated thereto including accompanying information;			
17(3) intended uses of the biological resource(s) and or knowledge associated thereto; (research, breeding, commercial utilization etc.)	(3) intended uses of the biological resource(s) and or knowledge associated thereto;	(3) intended uses of the biological resource(s) and or knowledge associated thereto;			
(4) terms and conditions for the applicant while obtaining intellectual property rights;	(4) terms and conditions for the applicant while obtaining intellectual property rights;	(4) terms and conditions for the applicant while obtaining intellectual property rights;			
(5) Nature and quantum of monetary and or non-monetary benefits;	(5) Nature and quantum of monetary and or non-monetary benefits;	(5) Nature and quantum of monetary and or non-monetary benefits;			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(6) restrictions s on to transfer of the accessed biological resources and or knowledge associated thereto to any third party without prior approval of the Authority;	(6) restrictions on transfer of the accessed biological resources and or knowledge associated thereto to any third party without prior approval of the Authority;	(6) restrictions on transfer of the accessed biological resources and or knowledge associated thereto to any third party without prior approval of the Authority;			
(7) declaration by the applicant that whenever there is change in the status with regard to sub-section (2) of section 3, intimation shall be given to the Authority within a period of 60 days.	(7) declaration by the applicant that whenever there is change in the status with regard to sub-section (2) of section 3, intimation shall be given to the Authority within a period of 60 days.	(7) declaration by the applicant that whenever there is change in the status with regard to sub-section (2) of section 3, intimation shall be given to the Authority within a period of 60 days.			
(8) undertaking by the applicant to deposit a reference sample of the biological resource(s) material sought to be accessed, wherever	(8) undertaking by the applicant to deposit a reference sample of the biological resource(s) to be accessed, wherever	(8) undertaking by the applicant to deposit a reference sample of the biological resource(s) to be accessed, wherever			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
accessed, wherever required by the Authority, with the repositories identified so designated under in section 39;	required by the Authority, with the repositories so designated under section 39;	required by the Authority, with the repositories so designated under section 39;			
(9) submitting to the Authority a submission of periodic c status report by the applicant about of research and other developments, as may be prescribed by the Authority;	(9) submission of periodic status report by the applicant about research and other developments, as may be prescribed by the Authority;	(9) submission of periodic status report by the applicant about research and other developments, as may be prescribed by the Authority;			
(10) obligation to abide by the provisions of the Act, Rules and Regulations, and other related legislations in force in the country;	(10) obligation to abide by the provisions of the Act, Rules and Regulations, and other related legislations in force in the country;	(10) obligation to abide by the provisions of the Act, Rules and Regulations, and other related legislations in force in the country;			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(11) commitment affirmation to facilitate measures for conservation and sustainable use of biological resources to be accessed;	(11) affirmation to facilitate measures for conservation and sustainable use of biological resources to be accessed;	(11) affirmation to facilitate measures for conservation and sustainable use of biological resources to be accessed;			
(12) commitment assertion to minimize environmental impacts of while collecting the biological resources activities ;	(12) assertion to minimize environmental impacts while collecting the biological resources;	(12) assertion to minimize environmental impacts while collecting the biological resources;			
(13) legal provisions such as duration of the agreement, notice period to terminate the agreement, independent enforceability of individual clauses, provision	(13) legal provisions such as duration of the agreement, notice period to terminate the agreement, independent enforceability of individual clauses, provision	(13) legal provisions such as duration of the agreement, notice period to terminate the agreement, independent enforceability of individual clauses, provision			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
regarding the extent to which the obligations relating to in benefit sharing clauses survive the termination of the agreement, events limiting liability (natural calamities), arbitration, any confidentiality clause, if any, etc.	regarding the extent to which the obligations relating to benefit sharing clauses survive the termination of the agreement, events limiting liability (natural calamities), arbitration, confidentiality clause, if any; etc.	regarding the extent to which the obligations relating to benefit sharing clauses survive the termination of the agreement, events limiting liability (natural calamities), arbitration, confidentiality clause, if any; etc.			
(14) any other conditions which the Authority may consider necessary for meeting the objectives of the Act.	(14) any other conditions which the Authority may consider necessary for meeting the objectives of the Act.	(14) any other conditions which the Authority may consider necessary for meeting the objectives of the Act.			
18) Regulating Restriction on activities related to access to biological resources	18) Regulating access to biological resources. -	<i>(in COL (2) , Merged Rule 18 &19 AND MADE AS</i>	EC agreed to the merger of rules 18 and 19 subject to minor changes in		14) Regulating access to biological resources. -

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(1) The Authority if it deems necessary and appropriate, shall take the steps to restrict or prohibit the request for access to biological resources for the following reasons; namely:-	1)The Authority, if it deems necessary and appropriate, shall take steps to restrict or prohibit access to biological resources for the following reasons, namely:	ONE RULE -14 WHICH IS SHOWN BELOW) (14) Restricting access to biological resources and knowledge associated with such biological resources:	Rule 14 as shown below: The Authority after conducting some such enquiry as deemed appropriate in respect of one or more clauses under this rule 14 , shall take steps to restrict or prohibit access to biological resources and or knowledge associated with such biological resources for the following reasons:		Authority agreed to the recommendation of the EC.
(i) the request for access is for any threatened and or endemic species including those notified under section 38 of the Act. endangered taxa;	(i) the request for access is for any threatened and or endemic species including those notified under section 38 of the Act..	The Authority after conducting some such enquiry as deemed appropriate in respect of one or more clauses under the Rule 14 , shall take steps to restrict or prohibit access to biological resources and or knowledge associated with such biological			
16(1)(ii) the request for access is for any endemic and rare species;	-				
(ii) the request for access may likely result in adverse impact effect on the livelihood and or	(ii) the request for access may result in an adverse impact on the livelihood and or socio-cultural				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
socio-cultural aspects of the local people.	aspects of the local communities.	resources for the following reasons: (1) the request for access is for any threatened and/ or endemic species including those notified under section 38 of the Act. (2) the request for access may result in an adverse impact on the livelihood and/ or socio-cultural aspects of the local communities. (3) the request for access may result in adverse environmental impact(s)			
(iii) the request for access may result in adverse environmental impact(s) which may be difficult to control and mitigate.	(iii) the request for access may result in adverse environmental impact(s) which may be difficult to control and mitigate.				
(iv) the request for genetic erosion or affect the ecosystem functions including in the areas notified under section 37 of the Act;	(iv) the request for access may cause genetic erosion or affect the ecosystem functions including in the areas notified under section 37 of the Act;				
(v) the request is for the use of resources for purposes contrary to national interest and other related international agreements entered into by India.	(v) the request is for the use of resources for purposes contrary to national interest and other related international agreements entered into by India.				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
-	18(vi) Notwithstanding above five points from 18(i) to (v), the NBA /SBB/UTBCs may permit access to cultivated species mentioned under above five categories depending on merits of each case for a specific period.	which may be difficult to control and mitigate. (4) the request for access may cause genetic erosion or affect the ecosystem functions including in the areas notified under section 37 of the Act; (5) the request is for the use of resources for purposes contrary to national interest and other related international agreements entered into by India.			
19) Regulating access to traditional knowledge associated with the biological resources. - Revocation of access or approval:	19) Regulating access to traditional knowledge associated with the biological resources				
The Authority, if it deems necessary and appropriate, shall take steps to restrict or prohibit	The Authority, if it deems necessary and appropriate, shall take steps to restrict or prohibit				Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
access to traditional knowledge associated with the biological resources for the following reasons, namely: -	access to traditional knowledge associated with the biological resources for the following reasons, namely: -	(6) Notwithstanding the above mentioned conditions five points from (1) to (5), the NBA /SBB/UTBCs may permit access to cultivated species mentioned under the above five categories depending on merits of each case for a specific period.	6) Notwithstanding the above-mentioned conditions under sub –rule (1) to (5) of the rule , NBA / SBB/UTBC may permit access to cultivated species mentioned under the above five categories depending on merits of each case for a specific period.		
(i) the request for access affects or infringes the rights held by any community/people; and	(i) the request for access affects or infringes the rights held by any community/people; and	(7) for any other reasons to be recorded in writing.			
(ii) the request for access is likely to result in an adverse impact on the livelihood and or socio-cultural aspects of the local community	(ii) the request for access is likely to result in an adverse impact on the livelihood and or socio-cultural aspects of the local community				
(iii) for any other reasons to be recorded in writing.	(iii) for any other reasons to be recorded in writing.				
20) Procedure for seeking approval for sharing or transferring	20) Procedure for seeking approval for sharing or transferring	15) Procedure for seeking approval for sharing or transferring			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
results of research to persons covered under sub-section (2) of section 3 of the Act.-	results of research to persons covered under sub-section (2) of section 3 of the Act.-	results of research to persons covered under sub-section (2) of section 3 of the Act.-			
(1) Any person who intends to share or transfer any result of the research relating to biological resources and or traditional knowledge associated thereto to persons covered under sub-section (2) of section 3 of the Act shall make an application on the web portal of the Authority in the following Forms:	(1) Any person who intends to share or transfer any result of the research relating to biological resources and or traditional knowledge associated thereto to persons covered under sub-section (2) of section 3 of the Act shall make an application on the web portal of the Authority in the following Forms:	(1) Any person who intends to share or transfer any result of the research relating to biological resources and ! or traditional knowledge associated thereto to persons covered under sub-section (2) of section 3 of the Act shall make an application on the web portal of the Authority in the following Forms: a) Form '3' for seeking prior approval of the Authority by any person	EC agreed to the modifications made subject to minor changes for the sake of uniformity as shown below: a) Form '3' for seeking prior approval of the Authority by any person for sharing or transferring the results of research to section — 3(2) persons persons covered under sub-		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
a) Form '3' for approval for sharing or transferring results of research. b) Form '4' for registration for conducting further research on the results of research shared or transferred. c) Form '5' for approval for commercial utilization of the results of research shared or transferred. d) Form '6' for approval for obtaining intellectual property rights within or outside India, on the results of research shared or transferred.	a) Form '3' for approval for sharing or transferring results of research. b) Form '4' for registration for conducting further research on the results of research shared or transferred. c) Form '5' for approval for commercial utilization of the results of research shared or transferred. d) Form '6' for approval for obtaining intellectual property rights within or outside India, on the results of research shared or transferred.	for sharing or transferring the results of research to section 3(2) persons for commercial purposes or otherwise. b) Form '4' for registration by the transferee (section 3(2) person) to use the results of research for further research. c) Form '5' for seeking prior approval of the Authority to use the results of research for commercial utilisation by the transferee (section 3(2) person).	section (2) of section 3 of the Act for commercial purposes or otherwise. b) Form '4' for registration by the transferee (persons covered under sub-section (2) of section 3 of the Act section 3(2) person) to use the results of research for further research. c) Form '5' for seeking prior		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Provided that in case the transfer of results of research involves accessing associated biological resource, the transferee shall have to follow the procedure mentioned under rule 16.	Provided that in case the transfer of results of research involves accessing associated biological resource, the transferee shall have to follow the procedure mentioned under rule 16.	d) Form '6' for seeking prior approval of the Authority to use the results of research for obtaining intellectual property rights by the transferee (section 3(2) person). Provided that in case the transfer of results of research involves accessing associated biological resource, the transferee shall have to follow the procedure mentioned under rule 13.	approval of the Authority to use the results of research for commercial utilisation by the transferee <i>(persons covered under sub-section (2) of section 3 of the Act section 3(2) person).</i> d) Form '6' for seeking prior approval of the Authority to use the results of research for obtaining intellectual		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			property rights by the transferee (persons covered under sub-section (2) of section 3 of the Act section 3(2) person).		
(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in an electronic form to the National Biodiversity Fund.	(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in an electronic form to the National Biodiversity Fund.	(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in an electronic / digitized form to the National Biodiversity Fund.	EC agreed to the modifications.		Authority agreed to the recommendation of the EC.
(3) The Authority after collecting such additional information from the applicant and other	(3) The Authority after collecting such additional information from the applicant and other	(3) The Authority after collecting such additional information from the applicant and other			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
sources, as required, and based on the merits of the application, may accord approval subject to such terms and conditions including benefit sharing, or reject, as deemed fit, within a period of 90 days for applications referred under (a), (c) and (d) of sub-rule (1): Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application will be liable	sources, as required, and based on the merits of the application, may accord approval subject to such terms and conditions including benefit sharing, or reject, as deemed fit, within a period of 90 days for applications referred under (a), (c) and (d) of sub-rule (1): Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application will be liable for closure.	sources, as required, and based on the merits of the application, may accord approval subject to such terms and conditions including benefit sharing, or reject, as deemed fit, within a period of 90 days for applications referred under (a), (c) and (d) of sub-rule (1): Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application will be liable for closure.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
for closure. The applicant will be informed about the closure. Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	The applicant will be informed about the closure. Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	The applicant will be informed about the closure Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.			
17(4) On being satisfied that the applicant has fulfilled all the requirements, the Authority may grant the approval for transferring the results of research subject to such terms and conditions as it may deem fit to impose in each case.	Deleted	-	-	-	-

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>(4) The approval for transfer shall be granted in the form of an written agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant.</p> <p>Provided that the Authority may reject the application, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority. The applicant will be informed about the closure.</p>	<p>(4) The approvals referred under (a), (c) and (d) of sub-rule (1) shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so closed application may</p>	<p>(4) The approvals referred under (a), (c) and (d) of sub-rule (1) shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so closed application may</p>	<p>EC agreed to the rule as in column (3) subject to the following change:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so Such closed application may be</p>		<p>Authority agreed to the recommendation of the EC.</p>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
	be revived on receipt of payment of half of the fee prescribed for fresh application under sub-rule (2) within a period of 90 days.	be revived on receipt of payment of half of the fee prescribed for fresh application under sub-rule (2) within a period of 90 days.	revived on receipt of payment of half of the fee prescribed for fresh application under sub-rule (2) within a period of 90 days		
17(5) The Authority, may for reasons to be recorded in writing, reject an application if it considers that the application cannot be allowed; Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	Deleted	-	-	-	-

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(5) If the Authority is of the opinion that activities referred to in the registration made under sub-rule (1)(b) are detrimental or contrary to the objectives of the Act, it may by order, prohibit or restrict any such activity.	(5) If the Authority is of the opinion that activities referred to in the registration made under sub-rule (1)(b) are detrimental or contrary to the objectives of the Act, it may by order, prohibit or restrict any such activity.	(5) If the Authority is of the opinion that activities referred to in the registration made under sub-rule (1)(b) are detrimental or contrary to the objectives of the Act, it may by order, prohibit or restrict any such activity.			
(6) The applicant so registered with the Authority under sub-rule (1)(b) shall submit periodic status report(s) as may be prescribed by the Authority.	(6) The applicant so registered with the Authority under sub-rule (1)(b) shall submit periodic status report(s) as may be prescribed by the Authority.	(6) The applicant so registered with the Authority under sub-rule (1)(b) shall submit periodic status report(s) as may be prescribed by the Authority.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
21). Procedure for seeking prior approval before—applying for obtaining Intellectual Property protection Rights.	21). Procedure for seeking approval for obtaining Intellectual Property Rights. –	16) Procedure for registration and obtaining prior approval from the Authority before grant of Intellectual Property rights. -	EC recommended that in the title, the intellectual property rights should be in small letters. The modified title is shown below: 16) Procedure for registration and obtaining prior approval from the Authority before grant of intellectual property rights. –		Authority agreed to the recommendation of the EC.
21(1) Procedure for seeking prior approval before grant of intellectual property rights by any person covered under sub-section (2) of section 3 of	21(1) Procedure for seeking prior approval before grant of intellectual property rights by any person covered under sub-section (2) of section 3 of the Act shall be as follows:	(1) Procedure for seeking prior approval before grant of intellectual property rights by any person covered under sub-section (2) of section 3 of the Act shall be as follows:	EC agreed to the modifications subject to minor change as shown below: Provided that the application is		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
the Act shall be as follows: (1)(a) Any person covered under sub-section (2) of section 3 of the Act, applying for any intellectual property rights, in or outside India, for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, shall	(1)(a) Any person covered under sub-section (2) of section 3 of the Act, applying for any intellectual property rights, in or outside India, for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, shall seek prior approval of the Authority, before grant of intellectual property rights, by	(a) Any person covered under sub-section (2) of section 3 of the Act, applying for any intellectual property rights, in or outside India by applying on the web portal of the Authority in Form '7', for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, shall seek prior approval of the Authority, before grant of intellectual property rights, by the	deemed to be closed, if the applicant does not sign the agreement within a period of 90 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so Such closed application may be revived on receipt of payment of the half of the fee prescribed for submitting fresh application under sub-rule 1(b) within a period of 90 days.		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
<p>seek prior approval of the Authority, before grant of intellectual property rights, by applying on the web portal of the Authority in Form '7'.</p> <p>(1)(b) Every application under sub-rule (1)(a) shall be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund.</p> <p>(1)(c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on</p>	<p>applying on the web portal of the Authority in Form '7'.</p> <p>(1)(b) Every application under sub-rule (1)(a) shall be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund.</p> <p>(1)(c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of</p>	<p>Competent Authority in India or elsewhere.</p> <p>(b) Every application under sub-rule (1)(a) shall be accompanied by a prescribed fee in the form of electronic/ digitized transfer to the National Biodiversity Fund.</p> <p>(c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of 180 days' from the date of receipt of application or on receipt of requisite</p>	<p>by the competent authority in India or elsewhere.</p> <p>Apostrophe comma from "days" may be removed.</p> <p>180 days from the date of receipt</p>		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of 90 days subject to such terms and conditions including benefit sharing, as it may deem fit: Provided that the application will be liable for closure if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information. The applicant will be	the application, take a decision on granting approval or otherwise within a period of 90 days subject to such terms and conditions including benefit sharing, as it may deem fit: Provided that the application will be liable for closure if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information. The	information whichever is later , subject to such terms and conditions including benefit sharing, as it may deem fit: Provided that the application will be liable for closure if the requisite information sought by the Authority has not been made available by the applicant within a period of 90 days from the date of seeking information and the applicant shall be informed about such closure by way of a reasoned order. (d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed	EC agreed to this modification.		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
<p>informed about the closure.</p> <p>(1)(d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</p> <p>Provided that the Authority may close the application if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the</p>	<p>applicant will be informed about the closure.</p> <p>(1)(d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the</p>	<p>by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 90 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so closed application may be revived on receipt of payment of the half of the fee prescribed for submitting fresh application under sub-rule 1(b) within a period of 90 days.</p>	<p>EC agreed to the changes subject to the following modifications:</p> <p>The so Such closed application may be revived on receipt of payment of the half of the fee prescribed for submitting fresh application under sub-rule 1(b) within a period of 90 days.</p>		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>Authority. The applicant will be informed about the closure.</p> <p>(1)(e) The applicant shall intimate the Authority within 45 days from the date of the grant of the intellectual property rights.</p> <p>(1)(f) The Authority, for reasons to be recorded in writing, may reject an application if it considers that the request cannot be acceded to:</p> <p>Provided that the application shall not be rejected unless the</p>	<p>applicant. The so closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule 1(b) within a period of 90 days</p> <p>(1)(e) The applicant shall intimate the Authority within 45 days from the date of the grant of the intellectual property rights.</p> <p>(1)(f) The Authority, for reasons to be recorded in writing, may reject an application if it considers</p>	<p>(e) The applicant shall intimate the Authority within 45 days from the date of the grant of the intellectual property rights, failing which action as deemed fit will be taken by the competent authority.</p> <p>(f) The Authority, for reasons to be recorded in writing, may reject an application if it considers that the request cannot be acceded to:</p> <p>Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.</p>			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
applicant has been given a reasonable opportunity of being heard.	that the request cannot be acceded to: Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.				
(2) Procedure for registration before obtaining intellectual property rights by any person covered under section 7 of the Act shall be as follows: (2)(a) Any person covered under section 7 of the Act, applying for any	(2) Procedure for registration before obtaining intellectual property rights by any person covered under section 7 of the Act shall be as follows: (2)(a) Any person covered under section 7 of the Act, applying for any intellectual property rights, in or	(2) Procedure for registration before obtaining intellectual property rights by any person covered under section 7 of the Act shall be as follows: (a) Any person covered under section 7 of the Act, applying for any intellectual property rights, in or outside India, shall register on the web	EC agreed to the changes subject to the following modifications:		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
intellectual property rights, in or outside India, for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, shall register on the web portal of the Authority in Form '8' before grant of such intellectual property rights. (2)(b) Every application under sub-rule (2)(a) for	outside India, for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, shall register on the web portal of the Authority in Form '8' before grant of such intellectual property rights. (2)(b) Every application under sub-rule (2)(a) for	portal of the Authority in Form '8' , for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, before grant of such intellectual property rights by the Competent Authority in India or abroad. (b) Every application under sub-rule (2)(a) for registration with the Authority, shall be accompanied by a prescribed fee in the form	by the competent authority in India or abroad.		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
<p>registration with the Authority, shall be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund.</p> <p>(2)(c) If the Authority is of the opinion that such an invention is the result of access to the knowledge held by a community or an individual or a group of individuals in an illegal manner, it may, by order, invalidate the registration and oppose such intellectual property rights.</p>	<p>registration with the Authority, shall be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund.</p> <p>(2)(c) If the Authority is of the opinion that such an invention is the result of access to the knowledge held by a community or an individual or a group of individuals in an illegal manner, the Authority may recommend to the adjudicating officer to impose higher penalty with regard to damage and also value assessed</p>	<p>of electronic/ digitized transfer to the National Biodiversity Fund.</p> <p>(c) If the Authority is of the opinion that such an invention is the result of access to the knowledge held by a community or an individual or a group of individuals in an illegal manner, the Authority may recommend to the adjudicating officer to impose higher penalty with regard to damage and also value assessed / realized, as the case may be.</p> <p>(d) The applicant shall intimate the Authority within 45 days of the grant of the intellectual property rights.</p>			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>(2)(d) The applicant shall intimate the Authority within 45 days of the grant of the intellectual property rights.</p> <p>(2)(e) The applicant at the time of registration shall give an undertaking that prior approval of the Authority will be taken before commercialization of the intellectual property rights.</p>	<p><i>/ realized, as the case may be.</i></p> <p>(2)(d) The applicant shall intimate the Authority within 45 days of the grant of the intellectual property rights.</p> <p>(2)(e) The applicant at the time of registration shall give an undertaking that prior approval of the Authority will be taken before commercialization of the intellectual property rights.</p>	<p>(e) The applicant at the time of registration shall give an undertaking that prior approval of the Authority will be taken before commercialization of the intellectual property rights.</p>			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>(3) Procedure for obtaining prior approval of the Authority for commercialization of the intellectual property rights by any person covered under section 7 of the Act shall be as follows:</p> <p>(3)(a) At the time of commercialization of the intellectual property rights referred to under sub-rule (2)(e), the applicant shall obtain prior approval by applying on the web portal of the Authority in Form '9'.</p> <p>(3)(b) Every application under sub-rule (3)(a) shall</p>	<p>(3) Procedure for obtaining prior approval of the Authority for commercialization of the intellectual property rights by any person covered under section 7 of the Act shall be as follows:</p> <p>(3)(a) At the time of commercialization of the intellectual property rights referred to under sub-rule (2)(e), the applicant shall obtain prior approval by applying on the web portal of the Authority in Form '9'.</p> <p>(3)(b) Every application under sub-rule (3)(a) shall be accompanied by a</p>	<p>(3) Procedure for obtaining prior approval of the Authority for commercialization of the intellectual property rights by any person covered under section 7 of the Act shall be as follows:</p> <p>(a) At the time of commercialization of the intellectual property rights referred to under sub-rule (2)(e), the applicant shall obtain prior approval by applying on the web portal of the Authority in Form '9'.</p> <p>(b) Every application under sub-rule (3)(a) shall be accompanied by a prescribed fee in the form</p>	<p>EC agreed to the modifications subject to minor changes as shown below:</p> <p>c) The Authority shall, after collecting such additional</p>		<p>Authority agreed to the recommendation of the EC</p>

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund. (3)(c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of 90 days subject to such terms and conditions including benefit sharing, as it may deem fit:	prescribed fee in the form of electronic transfer to the National Biodiversity Fund. (3)(c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of 90 days subject to such terms and conditions including benefit sharing, as it may deem fit:	of electronic/ digitized transfer to the National Biodiversity Fund. (c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of 180 days' from the date of receipt of application or on receipt of requisite information whichever is later, subject to such terms and conditions including	information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of 180 days ² from the date of receipt of application or on receipt of requisite information whichever is later, subject to such terms and conditions including benefit		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application will be liable for closure. The applicant will be informed about the closure.</p> <p>(3)(d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</p>	<p>Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application will be liable for closure. The applicant will be informed about the closure.</p> <p>(3)(d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of</p>	<p>benefit sharing, as it may deem fit:</p> <p>Provided that the application will be liable for closure if the requisite information sought by the Authority has not been made available by the applicant within a period of 90 days from the date of seeking information and the applicant shall be informed about such closure by way of a reasoned order.</p> <p>(d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed</p>	<p>sharing, as it may deem fit:</p> <p>(d) The approval shall be granted in the form of an agreement on</p>		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
<p>Provided that the application will be liable for closure if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority. The applicant will be informed about the closure.</p> <p>(3)(e) The Authority, for reasons to be recorded in writing, may reject an application if it considers that the request cannot be acceded to:</p>	<p>the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. The so closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule 3(b) within a period of 90 days.</p>	<p>by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed if the applicant does not sign the agreement within a period of 90 days from the date of communication of the draft agreement by the Authority to the applicant. The so closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule 3(b) within a period of 90 days.</p>	<p>mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:</p> <p>Provided that the application is deemed to be closed if the applicant does not sign the agreement within a period of 90 days from the date of communication of the draft agreement by the Authority to the applicant. The so Such closed application may be revived on receipt</p>		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	(3)(e) The Authority, for reasons to be recorded in writing, may reject an application if it considers that the request cannot be acceded to: Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	(e) The Authority, for reasons to be recorded in writing, may reject an application if it considers that the request cannot be acceded to: Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.	of payment of the half of the fee prescribed for fresh application under sub-rule 3(b) within a period of 90 days.		
22). Revocation of access or approval. -	22). Revocation of access or approval.	17 Revocation of access or approval. -			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(1) The Authority may either on the basis of a complaint or <i>suo moto</i> withdraw the approval granted for access under rules 16, 20, 21 and 25, and revoke the agreement in full or in part under the following conditions, namely:-	(1) The Authority may either on the basis of a complaint or <i>suo moto</i> withdraw the approval granted for access under rules 16, 20, 21 (1) & (3) and 25, and revoke the agreement in full or in part under the following conditions, namely:-	(1) The Authority may either on the basis of a complaint or <i>suo moto</i> withdraw the approval granted for access under rules 13, 15, 16(1) & (3) and 20 revoke the agreement in full or in part, upon after affording reasonable opportunity of being heard to the applicant, under the following conditions, namely: -	EC agreed to the modifications subject to minor changes as shown below: The approvals granted are not only for access but for other activities also. So “for access” is to be deleted.” New formulation may be as below: (1) The Authority may either on the basis of a complaint or <i>suo moto</i> withdraw the approvals granted for access under		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			rules 13, 15, 16(1) & (3) and 20 revoke the agreement in full or in part, upon after affording reasonable opportunity of being heard to the applicant, under the following conditions, namely: -		
(1)(i) on the basis of reasonable belief that the person to whom the approval was granted has violated any of the provisions of the Act or the conditions on which the approval was granted;	(1)(i) on the basis of reasonable belief that the person to whom the approval was granted has declared false information or misleading information or violated any of the provisions of the Act or the conditions on which the approval was granted;	(i) on the basis of reasonable belief that the person to whom the approval was granted has declared false information or misleading information or violated any of the provisions of the Act or the conditions on which the approval was granted;	EC agreed to the modifications subject to minor changes as shown below: (i) on the basis of reasonable belief that the person to whom the approval was granted has declared false information or		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			misleading information or violated any of the provisions of the Act or the conditions on which the approval was granted;		
(1)(ii) when the person who has been granted approval has failed to comply with any of the terms and conditions of the agreement;	(1)(ii) when the person who has been granted approval has failed to comply with any of the terms and conditions of the agreement;	(ii) when the person who has been granted approval has failed to comply with any of the terms and conditions of the agreement;			
15(1) (iii) on failure to comply with any of the conditions of access granted;	Deleted	-	-	-	-
(1)(iii) on account of larger public interest or for the protection of environment and conservation of	(1)(iii) on account of larger public interest or for the protection of environment and conservation of	(iii) on account of larger public interest or for the protection of environment and conservation of			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
biological diversity, or on the basis of new facts or information brought to the notice of the Authority.	biological diversity, or on the basis of new facts or information brought to the notice of the Authority.	biological diversity, or on the basis of new facts or information brought to the notice of the Authority.			
(2) The Authority shall forward a copy of every order of revocation issued by it to the State Biodiversity Board or Union territory Biodiversity Council and the Biodiversity Management Committee(s) concerned for prohibiting the access and also to assess the damage caused, if any, and to take steps to recover the damages.	(2) The Authority shall forward a copy of every order of revocation issued by it to the State Biodiversity Board or Union territory Biodiversity Council and the Biodiversity Management Committee(s) concerned for prohibiting the access and also to assess the damage caused, if any, and to take steps to recover the damages.	(2) The Authority shall forward a copy of every order of revocation issued by it to the State Biodiversity Board or Union territory Biodiversity Council and the Biodiversity Management Committee(s) concerned for prohibiting the access and also to assess the damage caused, if any, and to take steps to recover the damages			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
23) Measures for monitoring and regulating the use in India of biological resource(s) and or associated traditional knowledge obtained from any foreign country.-	23) Measures for monitoring and regulating the use in India of biological resource(s) and or associated traditional knowledge obtained from any foreign country. -	18) Measures for monitoring and regulating the use in India of biological resource(s) and/ or associated traditional knowledge obtained from any foreign country. -	18) Measures for monitoring and regulating the use in India of biological resource (s) and/ or associated traditional knowledge obtained from any foreign country. -		Authority agreed to the recommendation of the EC
(1) Any person who intends to use in India the biological resource(s) and or traditional knowledge associated thereto obtained from any foreign	(1) Any person who intends to use in India the biological resource(s) and or traditional knowledge associated thereto obtained from any foreign	(1) Any person who intends to use in India the biological resource(s) and/ or traditional knowledge associated thereto obtained from any foreign	(1) Any person who intends to use in India the biological resource (s) and/ or traditional knowledge		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
country for research or for commercial purpose or for obtaining intellectual property rights, shall submit a declaration in Form '10' on the web portal of the Authority or any other organization authorized by the Central Government.	country for research or for commercial purpose or for obtaining intellectual property rights, shall submit a declaration in Form '10' on the web portal of the Authority or any other organization authorized by the Central Government.	country for research or for commercial purpose or for obtaining intellectual property rights, shall submit a declaration in Form '10' on the web portal of the Authority or any other organization authorized by the Central Government.	associated thereto obtained from any foreign country for research or for commercial purpose or for obtaining intellectual property rights, shall submit a declaration in Form '10' on the web portal of the Authority or any other organization authorized by the Central Government.		
(2) The Authority or any other organization as authorized by the Central Government, after obtaining relevant information from the user	(2) The Authority or any other organization as authorized by the Central Government, after obtaining relevant information from the user	(2) The Authority or any other organization as authorized by the Central Government, after obtaining relevant information from the user			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
of such biological resource and or traditional knowledge associated thereto, shall notify the same on the Access and Benefit-Sharing Clearing-House of the Convention on Biological Diversity.	of such biological resource and or traditional knowledge associated thereto, shall notify the same on the Access and Benefit-Sharing Clearing-House of the Convention on Biological Diversity.	of such biological resource and or traditional knowledge associated thereto, shall notify the same on the Access and Benefit-Sharing Clearing-House of the Convention on Biological Diversity.			
(3) Based on the request of the provider country, the Authority or any other organization authorized by the Central Government shall take appropriate measures on such use.	(3) Based on the request of the provider country, the Authority or any other organization authorized by the Central Government shall take appropriate measures on such use.	(3) Based on the request of the provider country, the Authority or any other organization authorized by the Central Government shall take appropriate measures on such use.			
24). Procedure for obtaining a certificate of origin for cultivated medicinal plants. -	24). Procedure for obtaining a certificate of origin for cultivated medicinal plants. -	19) Procedure for obtaining a certificate of origin for cultivated medicinal plants. -			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(1) Any person covered under section 7 of the Act, who intends to claim an exemption for accessing cultivated medicinal plants under sub-section (2) of section 7, shall apply to obtain a certificate of origin from the Biodiversity Management Committee concerned in Form '11A'.	(1) Any person covered under section 7 of the Act, who intends to claim an exemption for accessing cultivated medicinal plants under sub-section (2) of section 7, shall apply to obtain a certificate of origin from the Biodiversity Management Committee concerned in Form '11A'.	(1) Any person covered under section 7 of the Act, who intends to claim an exemption for accessing cultivated medicinal plants under sub-section (2) of section 7, shall give self-declaration to obtain a certificate of origin from the Biodiversity Management Committee concerned in Form '11A'.	EC agreed to the modifications subject to minor changes as shown below: (1) Any person covered under section 7 of the Act, who intends to claim an exemption for accessing cultivated medicinal plants under sub-section (2) of section 7, shall give submit self-declaration in physical or digital form to obtain a certificate of origin from the Biodiversity		Authority agreed to the recommendation of the EC. (1) Any person covered under section 7 of the Act, who intends to claim an exemption for accessing cultivated medicinal plants under sub-section (2) of section 7, shall submit self-declaration in physical or digital form to obtain a certificate of origin from the Biodiversity Management Committee concerned in Form '11A'.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			Management Committee concerned in Form '11A'.		
(2) The certificate referred to in sub-rule (1) shall contain details including the name and address of the applicant and the cultivator, geographical location including survey number, extent of area under cultivation along with the details of the species being cultivated and parts thereof, and the quantity of the biological resources being accessed.	(2) The certificate referred to in sub-rule (1) shall contain details including the name and address of the applicant and the cultivator, geographical location including survey number, extent of area under cultivation along with the details of the species being cultivated and parts thereof, and the quantity of the biological resources being accessed.	(2) The self-declaration referred to in sub-rule (1) shall contain details including the name and address of the applicant and the cultivator, geographical location including survey number, extent of area under cultivation along with the details of the species being cultivated and parts thereof, and approximate quantity of the biological resources being accessed.	EC agreed to the modification in the rule.		Authority agreed to the recommendation of the EC.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(3) The application shall be accompanied by a prescribed fee preferably in the form of electronic transfer to the Local Biodiversity Fund.	(3) The application shall be accompanied by a prescribed fee preferably in the form of electronic transfer to the Local Biodiversity Fund.	(3) The application shall be accompanied by a prescribed fee preferably in the form of electronic/digital transfer to the Local Biodiversity Fund.	EC agreed to the modification in the sub-rule.		Authority agreed to the recommendation of the EC. (3) The application shall be accompanied by a prescribed fee preferably in the form of electronic/digital transfer to the Local Biodiversity Fund.
(4) The cultivator of medicinal plants shall give prior intimation to the Biodiversity Management Committee concerned in Form '11B' at the time of start of cultivation.	(4) The cultivator of medicinal plants shall give prior intimation to the Biodiversity Management Committee concerned in Form '11B' at the time of start of cultivation.	(4) The cultivator of medicinal plants shall give prior intimation to the Biodiversity Management Committee concerned in Form '11B' at the time of start of cultivation.	EC agreed to the deletion of the sub-rule.		Authority agreed to the recommendation of the EC to delete the sub-rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(5) The Biodiversity Management Committee, based on the application submitted by the applicant including the cultivation and post-harvest details of the medicinal plants, and the entries made in the books maintained in Format '11C', shall issue the certificate of origin of the cultivated medicinal plants referred to under sub-section (3) of section 7 of the Act and sub-rule (1).	(5) The Biodiversity Management Committee, based on the application submitted by the applicant including the cultivation and post-harvest details of the medicinal plants, and the entries made in the books maintained in Format '11C', shall issue the certificate of origin of the cultivated medicinal plants referred to under sub-section (3) of section 7 of the Act and sub-rule (1).	(4) The Biodiversity Management Committee, based on the application submitted by the applicant including the cultivation and post-harvest details of the medicinal plants, and the entries made in the books maintained in Format "11B", shall issue the certificate of origin of the cultivated medicinal plants referred to under sub-section (3) of section 7 of the Act and sub-rule (1) within a period of 15 days. If the certificate of origin is not issued within a period of 15 days, it is to be automatically escalated	EC expressed concern about usurping the powers of BMC to SBB for issue of "certificate of origin" of cultivated medical plants, a function which needs to be exercised by the BMC only. Keeping in view the very limited capacity of most of the BMCs with poor e-governance infrastructure, the BMCs will be constrained to issue the certificates within the strict timelines. Instead of automatic escalation of the		Authority has not agreed to the recommendation of the EC. The issue of issuance of certificate of origin for medicinal plants was discussed and the sub rule has been revised, which is given below: (4) The Biodiversity Management Committee, based on the application submitted by the applicant including the cultivation and post-harvest details of the medicinal plants, and the entries made in the books maintained in Format "11B", shall

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		to the State Biodiversity Board concerned under intimation to the applicant and the same may be disposed of within a period of 7 days. In the event of dispute between applicant and SBB, the same be referred to NBA and it may be disposed of within a period of 7 days. In such a case, the decision of the NBA is final.	issue at the level of SBB, the issue is proposed to be taken up by the applicant to the SBB (because most of the BMCs don't have internet facilities). After detailed discussions, the EC agreed to the modifications in the rule subject to changes as shown below: 4) The Biodiversity Management Committee, based on the application submitted by the applicant including the cultivation and		issue the certificate of origin of the cultivated medicinal plants referred to under sub-section (3) of section 7 of the Act and sub-rule (1) within a period of 15 days. If the certificate of origin is not issued within a period of 15 days, the applicant shall approach the State Biodiversity Board concerned. The State Biodiversity Board shall give direction to the Biodiversity Management Committee concerned to dispose the case within 7 days. In the event dispute between the

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(1)	(2)	(3)	(4)	(5)	(6)
			post-harvest details of the medicinal plants, and the entries made in the books maintained in Format " 11B ", shall issue the certificate of origin of the cultivated medicinal plants referred to under sub-section (3) of section 7 of the Act and sub-rule (1) within a period of 15 days. If the certificate of origin is not issued within a period of 15 days, the applicant shall approach the State Biodiversity Board for remedial action. automatically escalated to The		applicant, Biodiversity Management Committee and State Biodiversity Board concerned, the same shall be referred to the Authority by State Biodiversity Board concerned. In such cases, decision of the Authority shall be final and binding on the Biodiversity Management Committee.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			State Biodiversity Board concerned shall facilitate disposal of the application by the Biodiversity Management Committee within seven days of the receipt of the grievance.		
(6) The Authority, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils or any other authority as deemed appropriate, shall develop procedures for seeking exemption under sub-section (2) of section 7 of the Act.	(6) The Authority, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils or any other authority as deemed appropriate, shall develop procedures for seeking exemption under sub-section (2) of section 7 of the Act.	(5) The Authority, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils or any other authority as deemed appropriate, shall develop procedures for seeking exemption under sub-section (2) of section 7 of the Act.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(7) For claiming exemption under sub-section (2) of section 7 of the Act, the onus of proof of source of origin of the medicinal plants shall lie on the end-user.	(7) For claiming exemption under sub-section (2) of section 7 of the Act, the onus of proof of source of origin of the medicinal plants shall lie on the end-user.	(6) For claiming exemption under sub-section (2) of section 7 of the Act, the onus of proof of source of origin of the medicinal plants shall lie on the end-user.	The AYUSH Ministry representative suggested to replace the “end user” with “applicant”. However, the EC did not agree to the AYUSH’s suggestion as it was not agreed during the inter and intra ministerial consultations.		Authority agreed to the recommendation of the EC and also decided to define the “end users” in the ABS regulations/sector specific guidelines.
25). Procedure for conducting non-commercial research or research for emergency purposes outside India by Indian researcher or institution. -	25). Procedure for conducting non-commercial research or research for emergency purposes outside India by Indian researcher or institution. -	20) Procedure for conducting non-commercial research or research for emergency purposes outside India by Indian researcher or institution. -			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
(1) Any Indian researcher or institution who intends to carry or send the biological resource(s) outside India to undertake non-commercial research including carrying out urgent studies to address certain present or imminent emergencies like epidemics, etc., shall apply on the web portal of the Authority in Form '12': Provided that in case the traditional knowledge associated thereto is also to be transferred /carried	(1) Any Indian researcher or institution who intends to carry or send the biological resource(s) outside India to undertake non-commercial research including carrying out urgent studies to address certain present or imminent emergencies like epidemics, etc., shall apply on the web portal of the Authority in Form '12': Provided that in case the traditional knowledge associated thereto is also to be transferred /carried	(1) Any Indian researcher or institution who intends to carry or send the biological resource(s) outside India to undertake non-commercial research including carrying out urgent studies to address certain present or imminent emergencies like epidemics, etc., shall apply on the web portal of the Authority in Form '12': Provided that in case the traditional knowledge associated thereto is also to be transferred /carried along with the biological resources, the approval of			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
along with the biological resources, the approval of the Authority shall be taken by the concerned foreign institution under rule 16.	along with the biological resources, the approval of the Authority shall be taken by the concerned foreign institution under rule 16.	the Authority shall be taken by the concerned foreign institution under rule 13.			
(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund.	(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in the form of electronic transfer to the National Biodiversity Fund.	(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in the form of electronic/ digitized transfer to the National Biodiversity Fund.	EC agreed to the modification in the sub-rule.		Authority agreed to the recommendation of the EC.
(3) The Authority shall, on being satisfied with the application under sub-rule (1), accord its approval within a period of 45 days	(3) The Authority shall, on being satisfied with the application under sub-rule (1), accord its approval within a period of 45 days	(3) The Authority shall, on being satisfied with the application under sub-rule (1), accord its approval within a period of 45 days			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
from the date of receipt of the application.	from the date of receipt of the application.	from the date of receipt of the application.			
(4) On receipt of approval of the Authority under sub-rule (3), the applicant shall deposit voucher specimens in the designated national repositories, wherever required, before carrying or sending the biological resource(s) outside India and a copy of proof of such deposits shall be endorsed to the Authority.	(4) On receipt of approval of the Authority under sub-rule (3), the applicant shall deposit voucher specimens in the designated national repositories, wherever required, before carrying or sending the biological resource(s) outside India and a copy of proof of such deposits shall be endorsed to the Authority.	4) On receipt of approval of the Authority under sub-rule (3), the applicant shall deposit voucher specimens in the designated national repositories, wherever required, before carrying or sending the biological resource(s) outside India and a copy of proof of such deposits shall be endorsed to the Authority.			
26). Deposition of novel microbial strains in the repositories outside	26). Deposition of novel microbial strains in the repositories outside	26). Deposition of novel microbial strains in the repositories outside	EC agreed to the deletion of this rule as these provisions		Authority agreed to the recommendation of the EC to delete the rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
India for publication of research. -	India for publication of research. -	India for publication of research.	can be brought under the ABS Regulations.		
(1) Any Indian researcher who has discovered a novel microbial strain(s) from India and intends to deposit the same in the repositories outside India for publication in the journals as per the agreed international requirements, shall provide prior intimation on the web portal of the Authority in Form '13'.	(1) Any Indian researcher who has discovered a novel microbial strain(s) from India and intends to deposit the same in the repositories outside India for publication in the journals as per the agreed international requirements, shall provide prior intimation on the web portal of the Authority in Form '13'.	(1) Any Indian researcher who has discovered a novel microbial strain(s) from India and intends to deposit the same in the repositories outside India for publication in the journals as per the agreed international requirements, shall provide prior intimation on the web portal of the Authority in Form '13'.			
(2) The applicant shall deposit one voucher specimen in the designated repository as required under sub-	(2) The applicant shall deposit one voucher specimen in the designated repository as	(2) The applicant shall deposit one voucher specimen in the designated repository as			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
section (3) of section 39 of the Act.	required under sub-section (3) of section 39 of the Act.	required under sub-section (3) of section 39 of the Act.			
(3) The designated repositories in and outside India shall inform any user about the Indian legal requirements for obtaining prior approval of the Authority for undertaking any research or bio-survey and bio-utilisation or commercial utilisation as per section 3 of the Act: Provided that if any researcher desires to refer to the voucher specimen for taxonomical identification purposes,	(3) The designated repositories in and outside India shall inform any user about the Indian legal requirements for obtaining prior approval of the Authority for undertaking any research or bio-survey and bio-utilisation or commercial utilisation as per section 3 of the Act: Provided that if any researcher desires to refer to the voucher specimen for taxonomical identification purposes, such approval is not required	(3) The designated repositories in and outside India shall inform any user about the Indian legal requirements for obtaining prior approval of the Authority for undertaking any research or bio-survey and bio-utilisation or commercial utilisation as per section 3 of the Act: Provided that if any researcher desires to refer to the voucher specimen for taxonomical identification purposes, such approval is not required			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
such approval is not required					
(4) The applicant shall submit a copy of the acknowledgement of the receipt of voucher specimen issued by the designated repository concerned in India to the Authority.	(4) The applicant shall submit a copy of the acknowledgement of the receipt of voucher specimen issued by the designated repository concerned in India to the Authority.	(4) The applicant shall submit a copy of the acknowledgement of the receipt of voucher specimen issued by the designated repository concerned in India to the Authority.			
27). Deposition of voucher specimen of a new taxon in the designated repositories.-	27). Deposition of voucher specimen of a new taxon in the designated repositories.-	27). Deposition of voucher specimen of a new taxon in the designated repositories.-	EC agreed to deletion of this rule		Authority agreed to the recommendation of the EC to delete the rule
(1) Any person who has discovered any new taxon of a biological resource accessed from India shall deposit a voucher specimen in the	(1) Any person who has discovered any new taxon of a biological resource accessed from India shall deposit a voucher specimen in the	(1) Any person who has discovered any new taxon of a biological resource accessed from India shall deposit a voucher specimen in the			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
designated repository as required under sub-section (3) of section 39 of the Act.	designated repository as required under sub-section (3) of section 39 of the Act.	designated repository as required under sub-section (3) of section 39 of the Act.			
(2) The applicant shall submit a copy of the acknowledgement of the receipt of voucher specimen issued by the designated repository to the Authority.	(2) The applicant shall submit a copy of the acknowledgement of the receipt of voucher specimen issued by the designated repository to the Authority.	(2) The applicant shall submit a copy of the acknowledgement of the receipt of voucher specimen issued by the designated repository to the Authority.			
28). Biodiversity Heritage Sites.-	28). Biodiversity Heritage Sites.-	28). Biodiversity Heritage Sites.-	EC agreed to the deletion of this rule as issue of separate guidelines is being considered by the NBA/MoEFCC.		Authority agreed to the recommendation of the EC.
(1) The State Government/Union territory Administration may notify biodiversity heritage sites for conservation and management of the areas of biodiversity importance	(1) The State Government/Union territory Administration may notify biodiversity heritage sites for conservation and management of the areas of biodiversity importance	(1) The State Government/Union territory Administration may notify biodiversity heritage sites for conservation and management of the areas of biodiversity importance			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
based on the recommendations of the State Biodiversity Board/Union territory Biodiversity Council. The recommendations by the State Biodiversity Board/Union territory Biodiversity Council shall be made after due consultations with the local body and the Biodiversity Management Committee(s) concerned.	based on the recommendations of the State Biodiversity Board/Union territory Biodiversity Council. The recommendations by the State Biodiversity Board/Union territory Biodiversity Council shall be made after due consultations with the local body and the Biodiversity Management Committee(s) concerned.	based on the recommendations of the State Biodiversity Board/Union territory Biodiversity Council. The recommendations by the State Biodiversity Board/Union territory Biodiversity Council shall be made after due consultations with the local body and the Biodiversity Management Committee(s) concerned.			
(2) The State Government/Union territory Administration, in consultation with the Central Government, may frame rules for conservation and	(2) The State Government/Union territory Administration, in consultation with the Central Government, may frame rules for conservation and	(2) The State Government/Union territory Administration, in consultation with the Central Government, may frame rules for conservation and			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
management of biodiversity heritage sites.	management of biodiversity heritage sites.	management of biodiversity heritage sites.			
(3) The State Government/Union territory Administration may provide financial support for conservation and management of biodiversity heritage sites.	(3) The State Government/Union territory Administration may provide financial support for conservation and management of biodiversity heritage sites.	(3) The State Government/Union territory Administration may provide financial support for conservation and management of biodiversity heritage sites.			
29). Notification of threatened species.-	29). Notification of threatened species.-	29). Notification of threatened species.-	EC agreed to the deletion of this rule.		Authority agreed to the recommendation of the EC to delete the rule.
(1) The Central Government in consultation with the State Government/Union territory Administration, or the State Government/Union territory Administration where such powers have been delegated by the	(1) The Central Government in consultation with the State Government/Union territory Administration, or the State Government/Union territory Administration where such powers have been delegated by the	(1) The Central Government in consultation with the State Government/Union territory Administration, or the State Government/Union territory Administration where such powers have been delegated by the			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
Central Government, may notify any species as a threatened species which is on the verge of extinction, or likely to become extinct in the near future: Provided that where such powers have been delegated by the Central Government, the State Government/Union territory Administration shall consult the Authority before issue of such a notification.	Central Government, may notify any species as a threatened species which is on the verge of extinction, or likely to become extinct in the near future: Provided that where such powers have been delegated by the Central Government, the State Government/Union territory Administration shall consult the Authority before issue of such a notification.	Central Government, may notify any species as a threatened species which is on the verge of extinction, or likely to become extinct in the near future: Provided that where such powers have been delegated by the Central Government, the State Government/Union territory Administration shall consult the Authority before issue of such a notification.			
(2) The State Government/Union territory Administration may constitute an expert committee for identification of	(2) The State Government/Union territory Administration may constitute an expert committee for identification of threatened species	(2) The State Government/Union territory Administration may constitute an expert committee for identification			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
threatened species which are on the verge of extinction or likely to become extinct in the near future and for suggesting the manner in which the collection of such species is to be prohibited or regulated.	which are on the verge of extinction or likely to become extinct in the near future and for suggesting the manner in which the collection of such species is to be prohibited or regulated.	of threatened species which are on the verge of extinction or likely to become extinct in the near future and for suggesting the manner in which the collection of such species is to be prohibited or regulated.			
(3) The collection of species so notified shall be regulated from the wild, and may be prohibited, if they are on the verge of extinction. However, collection of all such species shall be permitted for the purposes of scientific research, for herbariums, and museums of scientific and	(3) The collection of species so notified shall be regulated from the wild, and may be prohibited, if they are on the verge of extinction. However, collection of all such species shall be permitted for the purposes of scientific research, for herbariums, and museums of scientific and academic	(3) The collection of species so notified shall be regulated from the wild, and may be prohibited, if they are on the verge of extinction. However, collection of all such species shall be permitted for the purposes of scientific research, for herbariums, and museums of scientific and academic			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
academic institutions, and for their propagation: Provided that any such collection shall be with the approval of the concerned State Biodiversity Board/Union territory Biodiversity Council, and also in accordance with the provisions of the relevant forest and wildlife laws in force.	institutions, and for their propagation: Provided that any such collection shall be with the approval of the concerned State Biodiversity Board/Union territory Biodiversity Council, and also in accordance with the provisions of the relevant forest and wildlife laws in force.	institutions, and for their propagation: Provided that any such collection shall be with the approval of the concerned State Biodiversity Board/Union territory Biodiversity Council, and also in accordance with the provisions of the relevant forest and wildlife laws in force.			
(4) The Central Government, the Authority or the State Government/Union territory Administration may direct the concerned State Biodiversity Board/Union territory Biodiversity Council to initiate or conduct studies	(4) The Central Government, the Authority or the State Government/Union territory Administration may direct the concerned State Biodiversity Board/Union territory Biodiversity Council to initiate or conduct studies	(4) The Central Government, the Authority or the State Government/Union territory Administration may direct the concerned State Biodiversity Board/Union territory Biodiversity Council to initiate or conduct studies			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
to identify threats to such species and take measures for their in situ and ex situ conservation.	to identify threats to such species and take measures for their in situ and ex situ conservation.	Biodiversity Council to initiate or conduct studies to identify threats to such species and take measures for their in situ and ex situ conservation.			
(5) The State Government/Union territory Administration may also undertake measures for creating awareness among the stakeholders for the conservation of the notified species.	(5) The State Government/Union territory Administration may also undertake measures for creating awareness and capacity building among the stakeholders for the conservation of the notified species	(5) The State Government/Union territory Administration may also undertake measures for creating awareness and capacity building among the stakeholders for the conservation of the notified species			
30). Exemption of certain biological resources from the provisions of the Act	30). Exemption of certain biological resources from the provisions of the Act when normally traded as commodities.-	21) Exemption of certain biological resources from the provisions of			

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(1)	(2)	(3)	(4)	(5)	(6)
when normally traded as commodities.-		the Act when normally traded as commodities. -			
(1) The Central Government may, as and when considered necessary, in consultation with the Authority, by notification, exempt certain biological resources from the purview of all or any of the provisions of the Act when normally traded as commodities or the items derived from them: Provided that no exemption shall be made for the activities referred	(1) The Central Government may, as and when considered necessary, in consultation with the Authority, by notification, exempt certain biological resources from the purview of all or any of the provisions of the Act when normally traded as commodities or the items derived from them: Provided that no exemption shall be made for the activities referred to in sub-section (1) including (1A) and (1B), and sub-section (2) of section 6 of the Act.	(1) The Central Government may, as and when considered necessary, in consultation with the Authority, by notification, exempt certain biological resources from the purview of all or any of the provisions of the Act when normally traded as commodities or the items derived from them: Provided that no exemption shall be made for the activities referred to in sub-section (1) including (1A) and (1B), and sub-section (2) of section 6 of the Act.			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
to in sub-section (1) including (1A) and (1B), and sub-section (2) of section 6 of the Act.					
(2) Normally traded as commodities referred to in sub-rule (1) are biological resources, when used for any purpose other than for research, for obtaining patent or for bio-survey and bio-utilisation including a. cultivated plants, their parts including agricultural wastes, and items derived from them; b. domesticated animals, their parts and items derived from them;	(2) Normally traded as commodities referred to in sub rule (1) are biological resources, when used for the purpose mentioned under Section 40 , other than for research, obtaining IPR, or for bio-survey and bio-utilization or for commercial utilization including- a) cultivated plants, their parts including agricultural wastes, and items derived from them; b) domesticated animals, their parts	(2) Normally traded as commodities referred to in sub rule (1) are biological resources, when used for the purpose mentioned under Section 40, other than for research, obtaining IPR, or for bio-survey and bio-utilization or for commercial utilization including- a) cultivated plants, their parts including agricultural wastes, and items derived from them;	EC suggested that "S" may be mentioned in small letter. i.e under section 40		Authority agreed to the recommendation of the EC. (2) Normally traded as commodities referred to in sub rule (1) are biological resources, when used for the purpose mentioned under section 40 , other than for research, obtaining IPR, or for bio-survey and bio-utilization or for commercial utilization including- a) cultivated plants, their parts including

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(1)	(2)	(3)	(4)	(5)	(6)
c. cultured fishes, their parts and items derived from them; and d. timber from commercial forestry.	and items derived from them; c) cultured fishes, their parts and items derived from them; and d) timber from commercial forestry.	b) domesticated animals, their parts and items derived from them; c) cultured fishes, their parts and items derived from them; and d) timber from commercial forestry.			agricultural wastes, and items derived from them; b) domesticated animals, their parts and items derived from them; c) cultured fishes, their parts and items derived from them; and d) timber from commercial forestry.
(3) Any entity covered under section 7 of the Act, seeking exemption under section 40 of the Act, shall register with the Authority in the manner prescribed	(3) Any entity covered under section 7 of the Act, seeking exemption under section 40 of the Act, shall register with the Authority in the manner prescribed in	(3) Any entity covered under section 7 of the Act, seeking exemption under section 40 of the Act, shall register with the Authority in the manner prescribed in			

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(1)	(2)	(3)	(4)	(5)	(6)
in the notification referred to under sub-rule (1). The onus of establishing the purpose and source of the commodities while seeking such exemption shall lie on the entity.	the notification referred to under sub-rule (1). The onus of establishing the purpose and source of the commodities while seeking such exemption shall lie on the entity.	the notification referred to under sub-rule (1). The onus of establishing the purpose and source of the commodities while seeking such exemption shall lie on the entity.			
-	(4) The NTC list is a dynamic one and based on certain criteria biological resources or items or activities or categories may be included or excluded from the list as and when required.	(4) The NTC list is a dynamic one and based on certain criteria biological resources or items or activities or categories may be included or excluded from the list as and when required.	EC agreed to the insertion of a new rule subject to the following changes: (4) The list of biological resources normally traded as commodities is dynamic and is based on certain criteria as per the provisions of the		Authority agreed to the recommendation of the EC subject to minor modification (4) The list of biological resources normally traded as commodities is dynamic and is based on criteria as per the provisions of the Act. The biological resources or items or activities or categories may be included or

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(1)	(2)	(3)	(4)	(5)	(6)
			Act. The biological resources or items or activities or categories may be included or excluded from the list as and when required.		excluded from the list as and when required.
-	<i>(5) Any entity covered under section 3(2) or Section (7) of the Act established / registered in India can export non-NTAC items subject to relevant laws / rules / regulations to comply with the ABS mechanism.</i>	<i>(5) Any entity covered under section 3(2) or Section (7) of the Act established / registered in India can export non-NTAC items subject to relevant laws / rules / regulations to comply with the ABS mechanism.</i>	EC did not agree to insertion of this new sub-rule as the same is neither covered under section 40 nor under any other provisions of the Act. The EC felt that this issue may be deliberated while dealing with the	NBA secretariat supports version in column 3 given by the Ministry, due to the following reasons- 1) The implementation of the ABS is the most difficult objective of CBD as well as BD Act.	Authority has not agreed to the recommendation of the EC. Whereas Authority considered proposal of the NBA secretariat and decided to retain the rule proposed by the MoEFCC as in column no. (3).

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(1)	(2)	(3)	(4)	(5)	(6)
			notification of the NTACs.	<p>2) The section 40 indirectly says that unless included in the list the biological resources cannot be exported without paying ABS by section 7 entities.</p> <p>3) The Act explicitly says that section 7 entities can export NTC list without paying ABS.</p> <p>4) It has been clearly mentioned that NTC list is a dynamic one and anything can be included or</p>	(5) Any entity covered under section 3(2) or Section (7) of the Act established / registered in India can export items or biological resources that are not listed as normally traded as commodities (non-NTAC) subject to relevant laws / rules / regulations to comply with the ABS mechanism. Section 7 person shall apply to NBA in Form-16 and Section 3(2) person shall apply to NBA in Form-17 for the above said purpose.

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(1)	(2)	(3)	(4)	(5)	(6)
				<p>excluded as the case may be.</p> <p>5) In case of seed, already seed companies are exporting seeds for commercial activities after using the Indian genetic resources for production of high yield varieties which is a fact.</p> <p>6) If section 7 entities are not allowed to export under this Act, then they may be at the mercy of the section 3(2) entities who will have upper hand in deciding the price which will</p>	

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(1)	(2)	(3)	(4)	(5)	(6)
				<p>have adverse effect on the collection of ABS.</p> <p>7) If the section 3(2) and section 7 entities are allowed to import and export biological resources respectively, then there will be a level playing field in carrying out the trade of non NTC items and it would strengthen the Bio-economy of our country.</p> <p>8) There are two types of commercialization of biological/Genetic</p>	

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(1)	(2)	(3)	(4)	(5)	(6)
				resources, -Viz, through patents and through non patent route. The ABS collection through non patent route has to be captured in the larger interest of tribals, farmers and conservers. Therefore the section 7 entities should be allowed to export since the Act doesn't explicitly put a ban on export of Non NTC items. 9) The Govt of India has been promoting agro forestry and	

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(1)	(2)	(3)	(4)	(5)	(6)
				<p>promoting trees outside the forest and high value tree species like sandalwood, agarwood and red sanders are being grown by the farmers (section 7 entities) and they should be allowed to export such high value bio resources for enhancing their income.</p> <p>10) The Govt of India is strengthening cooperatives in the rural areas and also set a target of 10,000 FPO's/FPC's to be established</p>	

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(1)	(2)	(3)	(4)	(5)	(6)
				who are going to play a major role in the trade of biological resources by exporting them to foreign countries therefore a stand cannot be taken that Indians cannot export biological resources as DGFT also plays a significant role in operationalizing the EXIM policy of India. Therefore NBA cannot act against DGFT policies stating that section 7 entities cannot export non NTC items/	

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(1)	(2)	(3)	(4)	(5)	(6)
				Biological resources.	
31) Criteria for determining fair and equitable benefit sharing.-	31) Criteria for determining fair and equitable benefit sharing.-	31) Criteria for determining fair and equitable benefit sharing.-	The EC did not agree to the deletion of this rule as it provides scope and principles for determination of the benefit sharing mechanism and also forms the basis for framing the ABS regulations. It is one of the most important provisions of the Act. These broad guidelines and principles form the basis for elaboration of the ABS		The Authority has not agreed to the recommendation of the EC to retain the Rule as the determination of the ABS can be brought in the ABS Regulations which is more appropriate. Authority decided to delete the rule proposed by the MoEFCC as in column (3).
(1) The Authority shall in consultation with the Central Government, notify regulations in the Official Gazette prescribing the benefit-sharing framework.	(1) The Authority shall in consultation with the Central Government, notify regulations in the Official Gazette prescribing the benefit-sharing framework.	(1) The Authority shall in consultation with the Central Government, notify regulations in the Official Gazette prescribing the benefit-sharing framework.			
(2) The guidelines regulations notified by the Authority under sub-rule (1) shall provide for monetary and or non-monetary benefits including such as royalty, upfront payments, joint	(2) The regulations notified by the Authority under sub-rule (1) shall provide for monetary and or non-monetary benefits including royalty, upfront payments, joint ventures; technology transfer;	(2) The regulations notified by the Authority under sub-rule (1) shall provide for monetary and or non-monetary benefits including royalty, upfront payments, joint ventures; technology transfer;			

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(1)	(2)	(3)	(4)	(5)	(6)
ventures; technology transfer; product development; education and awareness raising activities; socio-economic development of local communities ; institutional capacity building and venture capital fund.	product development; education and awareness raising activities; socio-economic development of local communities; institutional capacity building and venture capital fund.	product development; education and awareness raising activities; socio-economic development of local communities; institutional capacity building and venture capital fund.	mechanism in the ABS Regulations. Hence, the EC strongly recommends that this rule may be retained.		
(3) The formula for benefit sharing shall be determined on a case-by-case basis.	(3) The benefit sharing shall be determined on a case-by-case basis.	(3) The benefit sharing shall be determined on a case-by-case basis.			
(4) The Authority, State Biodiversity Board or Union territory Biodiversity Council, while granting approval to any person under the Act may impose certain terms and	(4) The Authority, State Biodiversity Board or Union territory Biodiversity Council, while granting approval to any person under the Act may impose certain terms and	(4) The Authority, State Biodiversity Board or Union territory Biodiversity Council, while granting approval to any person under the Act may impose certain terms and			

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(1)	(2)	(3)	(4)	(5)	(6)
conditions for ensuring fair and equitable sharing of the benefits arising out of the use of the accessed biological resources and traditional knowledge associated thereto.	conditions for ensuring fair and equitable sharing of the benefits arising out of the use of the accessed biological resources and traditional knowledge associated thereto.	conditions for ensuring fair and equitable sharing of the benefits arising out of the use of the accessed biological resources and traditional knowledge associated thereto.			
(5) The quantum of benefits shall be mutually agreed upon between the persons applying for such approval and the Authority. in consultation with the local bodies and benefit claimers and. The benefit sharing may be decided in with due regard to the defined parameters including of access, nature of use, technology applied, timelines fixed for	(5) The quantum of benefits shall be mutually agreed upon between the persons applying for such approval and the Authority. The benefit sharing may be decided with due regard to the parameters including of access, nature of use, technology applied, timelines fixed for development of the product, the sustainability aspect, ecological impact	(5) The quantum of benefits shall be mutually agreed upon between the persons applying for such approval and the Authority. The benefit sharing may be decided with due regard to the parameters including of access, nature of use, technology applied, timelines fixed for development of the product, the sustainability aspect, ecological impact			

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(1)	(2)	(3)	(4)	(5)	(6)
development of the product, the sustainability aspect, ecological impact and expected outcomes, potential commercial use, risks involved in commercialization and measures ensuring conservation and sustainable use of biological resources.	and expected outcomes, potential commercial use, risks involved in commercialization and measures ensuring conservation and sustainable use of biological resources. Provided when there is no consensus on mutually agreed terms, the decision of the Authority shall be final and binding on the user/ accessor / trader (primary/intermediate/etc..) accessing and utilizing the biological resources.	and expected outcomes, potential commercial use, risks involved in commercialization and measures ensuring conservation and sustainable use of biological resources. Provided when there is no consensus on mutually agreed terms, the decision of the Authority shall be final and binding on the user/ accessor / trader (primary/intermediate/etc..) accessing and utilizing the biological resources.			
(6) Depending upon each case, the The Authority shall stipulate the time frame for assessing	(6) The Authority shall stipulate the time frame for assessing benefit sharing for short, medium or long	(6) The Authority shall stipulate the time frame for assessing benefit sharing for short, medium or long			

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(1)	(2)	(3)	(4)	(5)	(6)
benefit sharing on short, medium or long term benefits on a case-by-case basis.	term, on a case-by-case basis.	term, on a case-by-case basis.			
22(10) 22(7) The Authority shall monitor the flow of benefits as determined under sub-rule (4) in a manner determined by it.	Deleted				
32) Management and Application of National Biodiversity Fund. –	32) Management and Application of National Biodiversity Fund. –	22) Management and utilization of National Biodiversity Fund <i>(in Col (2) -Rule 32 was retained in which 33(4) has been included and remaining sub-rules of 33 was deleted)</i>			

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(1)	(2)	(3)	(4)	(5)	(6)
(1) The Authority shall authorize the Chairperson or any of its officers to operate the National Biodiversity Fund.	(1) The Authority shall authorize the Chairperson or any of its officers to operate the National Biodiversity Fund.	1) The National Biodiversity Fund shall be operated by the Chairperson or by such other officer of the Authority as may be authorized in this regard.	EC agreed to this modification in this sub-rule.		Authority agreed to the recommendation of the EC.
(2) The National Biodiversity Fund shall have two separate heads of accounts, one relating to the receipt of grants or loans from the Central Government and the other, for all sums including charges and benefit sharing amount under section 27 of the Act.	(2) The Authority shall have two separate accounts in the bank, one account under section 26 and second under section 27 of the Act to meet the objectives of the Act and also for its effective implementation. The Authority shall manage the account titled “National	(2) The Authority shall have two separate accounts in the bank, one account under section 26 and second under section 27 of the Act to meet the objectives of the Act and also for its effective implementation. The Authority shall manage the account titled “National	EC did not agree to the modifications in this sub-rule The EC opined that any funds received by the NBA need to be credited into only one fund, the National Biodiversity Fund which shall be utilized for the purposes as		Authority agreed to the recommendation of the EC. (2) The National Biodiversity Fund shall have two separate heads of accounts, one relating to the receipt of grants or loans from the Central Government under section 27(1) (a) and the other, for all sums including charges and benefit sharing

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(1)	(2)	(3)	(4)	(5)	(6)
	Biodiversity Fund” kept under section 27 and shall operate as per decisions taken in the Authority to achieve the purposes of the Act.	Biodiversity Fund” kept under section 27 and shall operate as per decisions taken in the Authority to achieve the purposes of the Act.	envisaged under section 27 of the Act. For the management and utilization of the Fund, NBA may have two separate heads under the NBF. Hence, the rule may be modified as given below: The National Biodiversity Fund shall have two separate heads of accounts, one relating to the receipt of grants or loans from the Central Government under		amount under section 27 (1) (b) and (c) of the Act. The National Biodiversity Fund shall be utilized for the activities covered under section 27(2), as decided by the Authority.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			<p>section 27(1) (a) and the other, for all sums including charges and benefit sharing amount under section 27 (1) (b) and (c) of the Act.</p> <p>The National Biodiversity Fund shall be utilized for the activities covered under section 27(2), as decided by the Authority.</p>		
(3) All receipts including monetary benefits accrued shall be	(3) All receipts including monetary benefits accrued shall be deposited in the National Biodiversity Fund.	(3) All receipts including monetary benefits accrued			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
deposited in the National Biodiversity Fund.		shall be deposited in the National Biodiversity Fund.			
(4) The Authority may specify measures for monitoring the utilization of the fund.	(4) The Authority may specify measures for monitoring the utilization of the fund. -	(4) The benefit sharing that is to be earmarked for NBA/SBB/UTBCs may range from minimum of 10% to maximum of 15% as the case may be and rest may be transferred to benefit claimers or for other uses when benefit claimers are not identified.	EC agreed to the modifications in this sub-rule subject to language change as follows: (4) Of the accrued benefits, 10 to 15% may be earmarked for the Authority or State Biodiversity Board or Union territory Biodiversity Council, as the case may be, for the purpose of meeting the		Authority agreed to the recommendation of the EC, further the Authority decided to remove the proviso clause. The Revised text is as follows:- 4) Of the accrued benefits, 10 to 15% may be earmarked for the Authority or State Biodiversity Board or Union territory Biodiversity Council, as the case may be, for the purpose of meeting the administrative expenses and the

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			<p>administrative expenses and the rest may be transferred to benefit claimers.</p> <p>Where such individuals or group of individuals or organization(s) cannot be identified, the amount can be utilized for the purposes referred to under clauses (b), (c) and (d) of sub-section (2) of section 27 of the Act.</p>		rest may be transferred to benefit claimers.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
		(5) The Authority may specify measures for monitoring the utilization of the fund.	EC agreed to the change of serial number of this sub-rule		Authority agreed to the recommendation of the EC.
33). Utilization of the National Biodiversity Fund.-	33). Utilization of the National Biodiversity Fund.-	33). Utilization of the National Biodiversity Fund.-	EC agreed to the deletion of this rule.		Authority agreed to the recommendation of the EC.
(1) The Authority shall suggest measures for utilization and monitoring of the accrued benefits for conservation and sustainable use of biological resources including channeling of benefits to the benefit claimers, socio-economic development of areas from where the biological resources and or	(1) The Authority shall suggest measures for utilization and monitoring of the accrued benefits for conservation and sustainable use of biological resources including channeling of benefits to the benefit claimers, socio-economic development of areas from where the biological resources and or	(1) The Authority shall suggest measures for utilization and monitoring of the accrued benefits for conservation and sustainable use of biological resources including channeling of benefits to the benefit claimers, socio-economic development of areas from where the biological resources and or			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
traditional knowledge associated thereto, have been accessed or occur.	traditional knowledge associated thereto, have been accessed or occur.	traditional knowledge associated thereto, have been accessed or occur.			
(2) Where the biological resources and or traditional knowledge associated thereto are accessed from a specific individual or a group of individuals or organizations, the Authority shall take steps to ensure that the agreed amount is paid directly to them or through the district administration or the State Biodiversity Board or Union territory Biodiversity Council concerned, as deemed fit. Where such individuals or	(2) Where the biological resources and or traditional knowledge associated thereto are accessed from a specific individual or a group of individuals or organizations, the Authority shall take steps to ensure that the agreed amount is paid directly to them or through the district administration or the State Biodiversity Board or Union territory Biodiversity Council concerned, as deemed fit. Where such individuals or group of	(2) Where the biological resources and or traditional knowledge associated thereto are accessed from a specific individual or a group of individuals or organizations, the Authority shall take steps to ensure that the agreed amount is paid directly to them or through the district administration or the State Biodiversity Board or Union territory Biodiversity Council concerned, as deemed fit. Where such individuals or group of individuals or organization(s) cannot be identified, the amount can be utilized for the purposes			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
group of individuals or organization(s) cannot be identified, the amount can be utilized for the purposes referred to under clauses (b), (c) and (d) of sub-section (2) of section 27 of the Act.	individuals or organization(s) cannot be identified, the amount can be utilized for the purposes referred to under clauses (b), (c) and (d) of sub-section (2) of section 27 of the Act.	referred to under clauses (b), (c) and (d) of sub-section (2) of section 27 of the Act.			
3) Where it is not possible to identify the area from where the biological resources or traditional knowledge associated thereto have been accessed, the fund referred to in clause (c) of sub-section (2) of section 27 of the Act shall be utilized for the socio-economic development of the area where such	3) Where it is not possible to identify the area from where the biological resources or traditional knowledge associated thereto have been accessed, the fund referred to in clause (c) of sub-section (2) of section 27 of the Act shall be utilized for the socio-economic development of	3) Where it is not possible to identify the area from where the biological resources or traditional knowledge associated thereto have been accessed, the fund referred to in clause (c) of sub-section (2) of section 27 of the Act shall be utilized for the socio-economic development of			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
biological resources occur.	the area where such biological resources occur.	the area where such biological resources occur.			
(4) Up to eight percent of the accrued benefits shall be earmarked for the Authority or the State Biodiversity Board or Union territory Biodiversity Council as the case may be, to be used for meeting the administrative expenses.	(4) The benefit sharing that is to be earmarked for NBA/SBB/UTBCs may range from minimum of 10% to maximum of 15% as the case may be and rest may be transferred to benefit claimers or for other uses when benefit claimers are not identified. This earmarked amount may be used for the purposes mentioned under Section 27 (2)(d) including administrative expenses.	This has been deleted and the same was included in the above Rule- 22(4)	The EC agreed to the relocation of this sub-rule.		Authority agreed to the recommendation of the EC to delete the rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
(5) All receipts or grants and loans including the amount earmarked under sub-rule (4) shall be utilized for meeting the purposes of the Act.	(5) All receipts or grants and loans including the amount earmarked under sub-rule (4) shall be utilized for meeting the purposes of the Act.	(5) All receipts or grants and loans including the amount earmarked under sub-rule (4) shall be utilized for meeting the purposes of the Act.	EC agreed to the deletion of this sub-rule		Authority agreed to the recommendation of the EC.
34) Appeal for settlement of disputes under Section 50.–	34) Appeal for settlement of disputes under Section 50.–	23) Appeal for settlement of disputes under Section 50.–			
(1) If a dispute arises between the Authority and or a State Biodiversity Board or Union territory Biodiversity Council between one Board and other Board(s) on account of implementation of any	(1) If a dispute arises between the Authority and a State Biodiversity Board or Union territory Biodiversity Council or Boards and Councils on account of implementation of any order or direction or	(1) If a dispute arises between the Authority and a State Biodiversity Board or Union territory Biodiversity Council or Boards and Councils on account of implementation of any order or direction or	EC agreed to this modification in this sub-rule.		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
order or direction or on any policy decision, issue of policy decision , either of the aggrieved parties i.e., Authority or the Board or the Council , as the case may be, may prefer an appeal under section 50, in Form '14' as may be prescribed , to the Central Government Form—VII, addressed to the Secretary, Ministry of Environment, Forest and Climate Change, Government of India.	on any policy decision, either of the aggrieved parties i.e., Authority or the Board or the Council, as the case may be, may prefer an appeal under section 50 in Form '14', to the Central Government addressed to the Secretary, Ministry of Environment, Forest and Climate Change.	on any policy decision, either of the aggrieved parties i.e., Authority or the Board or the Council, as the case may be, may prefer an appeal under section 50 in Form '13' , to the Central Government addressed to the Secretary, Ministry of Environment, Forest and Climate Change.			
(2) In the event of a dispute between a State Biodiversity Board or Union territory Biodiversity Council and	(2) In the event of a dispute between a State Biodiversity Board or Union territory Biodiversity Council and another State	(2) In the event of a dispute between a State Biodiversity Board or Union territory Biodiversity Council and another State			

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(1)	(2)	(3)	(4)	(5)	(6)
another State Biodiversity Board or Council or among Boards or Councils, the aggrieved Board(s) or Council(s), may prefer the point(s) of dispute and relief sought for in a memorandum of appeal to the Central Government, which shall refer the same to the Authority for resolution.	Biodiversity Board or Council or among Boards or Councils, the aggrieved Board(s) or Council(s), may prefer the point(s) of dispute and relief sought for in a memorandum of appeal to the Central Government, which shall refer the same to the Authority for resolution.	Biodiversity Board or Council or among Boards or Councils, the aggrieved Board(s) or Council(s), may prefer the point(s) of dispute and relief sought for in a memorandum of appeal to the Central Government, which shall refer the same to the Authority for resolution.			
34(3) The memorandum of appeal shall state the facts of the case, the grounds relied upon by the appellant, for preferring the appeal and the relief sought for	Deleted	-	-	-	-

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
34(4) The memorandum of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved and shall be duly signed by the authorized representative of the appellant.	Deleted	-	-	-	-
<i>(3)</i> The memorandum of appeal shall be accompanied by authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved. It shall be submitted online quadruplicate, either in	(3) The memorandum of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved. It shall be submitted online, within 30 days from the date of the	(3) The memorandum of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved. It shall be submitted online, within 30 days from the date of the			

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(1)	(2)	(3)	(4)	(5)	(6)
<p>person or through a registered post with Acknowledgement due, within 30 days from the date of the impugned order, direction or policy decision.</p> <p>Provided that if the Central Government is satisfied that there was a good and sufficient ground reason for the delay in preferring the appeal, it may, for reason(s) to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days but before the expiry of 45-60</p>	<p>impugned order, direction or policy decision:</p> <p>Provided that if the Central Government is satisfied that there was a good and sufficient ground for the delay in preferring the appeal, it may, for reason(s) to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days from the date of the impugned order, direction or policy decision, as the case may be.</p>	<p>impugned order, direction or policy decision:</p> <p>Provided that if the Central Government is satisfied that there was a good and sufficient ground for the delay in preferring the appeal, it may, for reason(s) to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days from the date of the impugned order, direction or policy decision, as the case may be.</p>			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
days from the date of the impugned order, direction or policy decision, as the case may be.					
(4) The notice for hearing of the appeal shall be given on the web portal of the Authority in Form '15' Form VIII by a registered post with an acknowledgement due .	(4) The notice for hearing the appeal shall be given on the web portal of the Authority in Form '15'.	(4) The notice for hearing the appeal shall be given on the web portal of the Authority in Form '14' .	EC agreed to this modification of the sub-rule.		Authority agreed to the recommendation of the EC
(5) In adjudicating a dispute under sub-rule (2), the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which	(5) In adjudicating a dispute under sub-rule (2), the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which the Central Government is	(5) In adjudicating a dispute under sub-rule (2), the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which the Central Government is			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
the Central Government is required to follow under this rule.	required to follow under this rule.	required to follow under this rule.			
(6) The appellate authority Central Government shall, after hearing the appellant and the other parties, and after taking into consideration other relevant facts, if any, shall dispose of the appeal.	(6) The appellate authority, after hearing the appellant(s) and other parties, and after taking into consideration other relevant facts, if any, shall dispose of the appeal.	(6) The appellate authority, after hearing the appellant(s) and other parties, and after taking into consideration other relevant facts, if any, shall dispose of the appeal.			
34(7) In disposing of an appeal, if the appellate authority may vary or modify or cancel the impugned order, direction or policy decision, as the case may be.	(7) In disposing of an appeal, the appellate authority may modify or cancel the impugned order, direction or policy decision, as the case may be.	(7) In disposing of an appeal, the appellate authority may modify or cancel the impugned order, direction or policy decision, as the case may be.			

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(1)	(2)	(3)	(4)	(5)	(6)
34(8) In adjudicating a dispute, the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which the Central Government is required to follow under this rule.	Deleted	-	-	-	-
35). Cognizance of offences by a court. –	35). Cognizance of offences by a court. –	(1) The Central Government or any authority or officer authorised by the Central Government under section 61(a) of the Act, may make a written complaint to the	EC did not agree to the deletion of this rule. The EC expressed that the provision of taking cognizance by the courts under the amended section 61		Authority agreed to the recommendation of the EC, however, the MoEFCC may take final decision on this sub-rule.
(1) The Central Government or any authority or officer authorised by the Central Government under section 61(a) of the Act, may make a written	(1) The Central Government or any authority or officer authorised by the Central Government under section 61(a) of the Act, may make a written complaint to the	(1) The Central Government or any authority or officer authorised by the Central Government under section 61(a) of the Act, may make a written complaint to the			

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(1)	(2)	(3)	(4)	(5)	(6)
complaint to the court having jurisdiction to take cognizance of any offence under this Act.	court having jurisdiction to take cognizance of any offence under this Act.	take cognizance of any offence under this Act.	of the Act still exists in the statute and there should be a rule relating to this as any person or benefit claimer can approach the court directly and may chose not to approach the adjudicating officer and it is linked with section 56 of the Act. After taking cognizance under section 61 of the Act, court may impose penalty under section 56 of the Act. Hence, the rule related to		(24) Cognizance of offences by a court. – 1) The Central Government or any authority or officer authorised by the Central Government under section 61(a) of the Act, may make a written complaint to the court having jurisdiction to take cognizance of any offence under section 56 of the Act.

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(1)	(2)	(3)	(4)	(5)	(6)
			<p>“Cognizance of offences by a court” should be retained with the following modifications:</p> <p>Cognizance of offences by a court. –</p> <p>(1) The Central Government or any authority or officer authorised by the Central Government under section 61(a) of the Act, may make a written complaint to the court having jurisdiction to take cognizance of any offence under</p>		

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(1)	(2)	(3)	(4)	(5)	(6)
			section 56 of the Act.		
(2) Any person or a benefit claimer may give a notice of not less than thirty days in Form '16' of his intention to make a complaint about an offence under this Act, to the Central Government or the authority or officer authorized in that behalf.	(2) Any person or a benefit claimer may give a notice of not less than thirty days in Form '16' of his intention to make a complaint about an offence under this Act, to the Central Government or the authority or officer authorized in that behalf.	(2) Any person or a benefit claimer may give a notice of not less than thirty days in Form '16' of his intention to make a complaint about an offence under this Act, to the Central Government or the authority or officer authorized in that behalf.	(2) Any person or a benefit claimer may give a notice of not less than thirty days in Form '15' of his intention to make a complaint about an offence under this Act, to the Central Government or the authority or officer authorized in that behalf		(2) Any person or a benefit claimer may give a notice of not less than thirty days in Form '15' of his intention to make a complaint about an offence under this Act, to the Central Government or the authority or officer authorized in that behalf
(3) The notice referred to in sub-rule (2) shall be given on the web portal of the Authority /to the authorized officer through	(3) The notice referred to in sub-rule (2) shall be given on the web portal of the Authority /to the authorized officer through a registered	(3) The notice referred to in sub-rule (2) shall be given on the web portal of the Authority /to the authorized officer	(3) The notice referred to in sub-rule (2) shall be given on the web portal of the Authority/to the		(3) The notice referred to in sub-rule (2) shall be given on the web portal of the Authority/to the

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(1)	(2)	(3)	(4)	(5)	(6)
a registered post with acknowledgement due/speed post.	post with acknowledgement due/speed post.	through a registered post with acknowledgement due/speed post.	authorized officer through a registered post with acknowledgement due/speed post.		authorized officer through a registered post with acknowledgement due/speed post.
(4) On the expiry of a period of thirty days after issue of notice referred to under sub-rule (2), and on not being satisfied with the action or inaction of the authority concerned to whom the notice was served, such person or the benefit claimer may file a written complaint before a court having jurisdiction to take cognizance of the offence under the Act.	(4) On the expiry of a period of thirty days after issue of notice referred to under sub-rule (2), and on not being satisfied with the action or inaction of the authority concerned to whom the notice was served, such person or the benefit claimer may file a written complaint before a court having jurisdiction to take cognizance of the offence under the Act.	(4) On the expiry of a period of thirty days after issue of notice referred to under sub-rule (2), and on not being satisfied with the action or inaction of the authority concerned to whom the notice was served, such person or the benefit claimer may file a written complaint before a court having jurisdiction to	4) On the expiry of a period of thirty days after issue of notice referred to under sub-rule (2), and on not being satisfied with the action or inaction of the authority concerned to whom the notice was served, such person or the benefit claimer may file a written		4) On the expiry of a period of thirty days after issue of notice referred to under sub-rule (2), and on not being satisfied with the action or inaction of the authority concerned to whom the notice was served, such person or the benefit claimer may file a written complaint before a court having jurisdiction to take

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(1)	(2)	(3)	(4)	(5)	(6)
		take cognizance of the offence under the Act.	complaint before a court having jurisdiction to take cognizance of the offence under the Act.		cognizance of the offence under the Act.
(5) The period of thirty days mentioned in sub-rule (2) shall be reckoned from the date of receipt of the notice by the authority or officer authorized referred to under sub-rule (2).	(5) The period of thirty days mentioned in sub-rule (2) shall be reckoned from the date of receipt of the notice by the authority or officer authorized referred to under sub-rule (2).	(5) The period of thirty days mentioned in sub-rule (2) shall be reckoned from the date of receipt of the notice by the authority or officer authorized referred to under sub-rule (2).	(5) The period of thirty days mentioned in sub-rule (2) shall be reckoned from the date of receipt of the notice by the authority or officer authorized referred to under sub-rule (2).		(5) The period of thirty days mentioned in sub-rule (2) shall be reckoned from the date of receipt of the notice by the authority or officer authorized referred to under sub-rule (2).
(6) Any authority or officer authorized under section 61(a) of the Act shall be	(6) Any authority or officer authorized under section 61(a) of the Act shall be	(6) Any authority or officer authorized under section 61(a) of the Act	(6) Any authority or officer authorized under section 61(a)		(6) Any authority or officer authorized under section 61(a) of

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(1)	(2)	(3)	(4)	(5)	(6)
deemed to have been authorized under section 55B of the Act.	deemed to have been authorized under section 55B of the Act.	shall be deemed to have been authorized under section 55B of the Act.	of the Act shall be deemed to have been authorized under section 55B of the Act.		the Act shall be deemed to have been authorized under section 55B of the Act.
-	-	24 Manner of Inquiry by the Adjudicating Officer	The EC agreed to this reworked rule subject to minor changes as below: 24 Manner of Inquiry by the Adjudicating Officer :		Authority agreed to the recommendation of the EC and renumbered the rules. (25) Manner of Inquiry by the Adjudicating Officer:
		(1) No Adjudicating Officer shall take cognizance of any non-compliance or	(1) No Adjudicating Officer shall take cognizance of any non-compliance or		(1) No Adjudicating Officer shall take cognizance of any non-compliance or

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(1)	(2)	(3)	(4)	(5)	(6)
		contravention of the provisions of this Act, or the rules made or orders or directions issued thereunder, unless such matter is initiated by the Presenting Officer, along with all necessary documents, either on its own motion or on receipt of a representation. The presenting officer shall be a legal professional and shall appear and present the case before the adjudicating officer, on behalf of the authorized officers, within their respective jurisdiction.	contravention of the provisions of this Act, or the rules made or orders or directions issued thereunder, unless such matter is initiated by the Presenting Officer on behalf of the authorized officer, along with all necessary documents, either on its own motion or on receipt of a representation. The presenting officer shall be a legal professional and		contravention of the provisions of this Act, or the rules made or orders or directions issued thereunder, unless such matter is initiated by the Presenting Officer on behalf of the authorized officer, along with all necessary documents, either on its own motion or on receipt of a representation. The presenting officer shall be a legal professional and shall appear and present the case before the adjudicating officer, on behalf of the

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(1)	(2)	(3)	(4)	(5)	(6)
			shall appear and present the case before the adjudicating officer, on behalf of the authorized officers, within their respective jurisdiction.		authorized officers, within their respective jurisdiction.
		2) The Officers authorized for taking cognizance of violations within their respective jurisdiction shall present the matter before the concerned Adjudicating Officer of the Central/State/Union Territory, through the Presenting Officer, as	EC agreed to this sub-rule.		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		per the jurisdiction mentioned therein.			
		(3) The Presenting Officer shall, before forwarding the matter under Rule 24(1) to the Adjudicating Officer, process the same exercising reasonable due diligence, in order to bring on record all relevant facts and circumstances that need to be taken into account for imposing penalty, and also to ascertain if it is a matter necessary for adjudication. The authorized officer shall	EC agreed to this sub-rule subject to the following change: The Presenting Officer shall, before forwarding the matter under 24 sub-rule (1),		Authority agreed to the recommendation of the EC (3) The Presenting Officer shall, before forwarding the matter under sub-rule (1) to the Adjudicating Officer, process the same exercising reasonable due diligence, in order to bring on record all relevant facts and circumstances that need to be taken into

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(1)	(2)	(3)	(4)	(5)	(6)
		provide all the relevant documents and facts related to the case, to the presenting officer.			account for imposing penalty, and also to ascertain if it is a matter necessary for adjudication. The authorized officer shall provide all the relevant documents and facts related to the case, to the presenting officer
		(4) Within 30 days of receipt of a matter, the Adjudicating Officer shall issue notice to the concerned Presenting Officer as well as to the person against whom non-compliance or	EC agreed to this sub-rule subject to the following change: Presenting Officer as well as to		Authority agreed to the recommendation of the EC.

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(1)	(2)	(3)	(4)	(5)	(6)
		contravention is alleged of the provisions of section 3 or section 4 or section 6 or section 7 of the Act under the provisions of section 55B of the Act, along with the particulars of the matter against him clearly specifying the nature of non-compliance or contravention, and such person may either appear personally or through an authorised representative, on such date as specified, which shall not be less than 15 days from the date of service thereon and shall	the person against whom non-compliance or contravention is alleged of the to the provisions of section 3 or section 4 or section 6 or section 7 of the Act is alleged under section 55B of the Act,.....		

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(1)	(2)	(3)	(4)	(5)	(6)
		not exceed 30 days, in such format as may be prescribed by the Central Government.			
		(5) On such date as specified in the Notice, the person or his authorised representative may admit or deny the allegations levelled against him, before the Adjudicating Officer.	EC agreed to this sub-rule.		Authority agreed to the recommendation of the EC
		(6) Under sub-rule (5), if the person or his representative admits to the allegations, the Adjudicating Officer shall state in his order	EC agreed to this sub-rule.		Authority agreed to the recommendation of the EC

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(1)	(2)	(3)	(4)	(5)	(6)
		such admission of the respondent, along with the quantum of penalty imposed in such format as may be prescribed by the Central Government, and send a copy of the order to the concerned Presenting Officer as well as the person who has lodged the matter, if applicable.			
-	-	(7) In cases not covered under sub-rule (6), the Adjudicating Officer shall fix a date for inquiry and communicate the same to the concerned	EC agreed to this sub-rule.		Authority agreed to the recommendation of the EC

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(1)	(2)	(3)	(4)	(5)	(6)
		Presenting Officer, for presentation of the matter.			
-	-	(8) On the date fixed, the Adjudicating Officer shall give an opportunity to the person to produce documents or evidence as he may consider relevant to the inquiry.	EC agreed to this sub-rule.		Authority agreed to the recommendation of the EC
-	-	(9) If any person fails or refuses to appear before the Adjudicating Officer as required by sub-rule (8) without sufficient cause, the Adjudicating Officer may proceed with the inquiry	EC agreed to this sub-rule		Authority agreed to the recommendation of the EC

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(1)	(2)	(3)	(4)	(5)	(6)
		in the absence of such person, ex-parte.			
-	-	(10) The adjudicating officer may also refer to the findings of the authority or officer authorized under section 55B of the Act or utilize their services, wherever necessary.	EC agreed to this sub-rule subject to the following change: “A” of the authority to be capital The adjudicating officer may also refer to the findings of the Authority or officer		Authority agreed to the recommendation of the EC.
-	-	(11) While holding such inquiry, the Adjudicating Officer shall have power to summon and enforce the	EC agreed to this sub-rule.		Authority agreed to the recommendation of the EC

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(1)	(2)	(3)	(4)	(5)	(6)
		attendance of any person acquainted with the facts and circumstances of the matter to give evidence or to produce any document which, in the opinion of the Adjudicating Officer, may be useful for or relevant to the subject matter of the inquiry. <i>Explanation:</i> For the purposes of this sub-rule, the Adjudicating Officer shall have the following powers of a Civil Court, as specified			

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(1)	(2)	(3)	(4)	(5)	(6)
		<p>in the Civil Procedure Code, 1908:</p> <p>(a) Summoning and enforcing the attendance of any person and examining him on oath;</p> <p>(b) Requiring the discovery and production of documents or other electronic records; and</p> <p>(c) Receiving evidence on affidavits.</p>			

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(1)	(2)	(3)	(4)	(5)	(6)
		(12) On presentation of matter by the concerned Presenting Officer, defense given by the person and recording of such information as necessary, the Adjudicating Officer shall either dismiss the allegation or make such other order as it deems fit.	EC agreed to the sub-rule subject to minor change as below: (12) On presentation of matter by the concerned Presenting Officer, defense given by the person and recording of such information as necessary, the Adjudicating Officer shall either dismiss the allegation or make		Authority agreed to the recommendation of the EC

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(1)	(2)	(3)	(4)	(5)	(6)
			such other order as it deemed fit.		
-	-	(13) All orders of the Adjudicating Officer shall be speaking orders, irrespective of whether penalty has been imposed by such order or not.	EC agreed to this sub-rule.		Authority agreed to the recommendation of the EC
-	-	(14) The Adjudicating Officer shall complete the adjudication of every matter within three months from the date fixed under sub-rule (7), which is extendable upto three more months if sufficient cause exists.	EC agreed to this sub-rule		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
-	-	(15) If the subject-matter of the matter received under sub-rule (4) is already in question before the National Green Tribunal or any other Court of competent jurisdiction on the date of receipt of the matter, the proceedings under this Rule shall not be initiated unless such latter case is finally disposed of.	EC agreed to the sub-rule subject to minor change as below: (15) If the subject-matter of the matter received under sub-rule (4) is already in question before the National Green Tribunal or any other Court of competent jurisdiction on the date of receipt of the matter, the proceedings under this rule shall not be initiated unless		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
			such latter case is finally disposed of.		
-	-	(16) The Adjudicating Officer may make a preliminary order of adjournment of proceedings in cases falling under sub-rule (15), in such format as may be prescribed by the Central Government.	EC agreed to this sub-rule		Authority agreed to the recommendation of the EC
-	-	(17) If the adjudicating officer is satisfied that the person or entity concerned has failed to comply with the provisions of section 3 or section 4 or section 6	EC agreed to this sub-rule		Authority agreed to the recommendation of the EC

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		or section 7 of the Act, he shall impose a penalty as deemed fit in accordance with the provisions of section 55 of the Act.			
-	-	(18) The Adjudicating Officer shall not pass an order for penalty if the Tribunal/Court has already passed an order to that effect in proceedings under sub-rule (15).	EC agreed to this sub-rule		Authority agreed to the recommendation of the EC
-	-	(19) Any person or a benefit claimer may give a notice of not less than thirty days in Form '15 of his intention to make a complaint about an	EC suggested deletion of this sub-rule as the same is proposed to be a new rule as		Authority agreed to the recommendation of the EC to delete the sub-rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
		offence under this Act, to the Central Government or the authority or officer authorized in that behalf.	mentioned above 24(2)		
36). Appointment and powers of the adjudicating officer. –	36). Appointment and powers of the adjudicating officer. –	25) Appeals from the Order of the Adjudicating Officer	EC agreed to this rule.		Authority agreed to the recommendation of the EC and renumbered the rule. 26) Appeals from the Order of the Adjudicating Officer
(1) The Central Government may appoint an officer or officers not	(1) The Central Government may appoint an officer or officers not	All appeals that arise from the order(s) passed by the Adjudicating			All appeals that arise from the orders passed by the Adjudicating

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
below the rank of Joint Secretary to the Government of India or Secretary to the State Government or Union territory Administration, as the case may be, to be the adjudicating officer(s) for the purposes of section 55 of the Act, to hold an inquiry and to impose the penalty so determined.	below the rank of Joint Secretary to the Government of India or Secretary to the State Government or Union territory Administration, as the case may be, to be the adjudicating officer(s) for the purposes of section 55 of the Act, to hold an inquiry and to impose the penalty so determined.	Officer under the Act shall lie to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010), as per Section 52A of the Biological Diversity (Amendment) Act, 2023. The appeal may be made by National Biodiversity Authority /State Biodiversity Boards / Union territory Biodiversity Councils or aggrieved party within a period of sixty days from the date on which the	EC agreed to this sub-rule with minor changes as below: All appeals that arise from the orders passed by the Adjudicating Officer under the Act shall lie to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010), as per section 52A of the Act		Officer under the Act shall lie to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010), as per section 52A of the Act . The appeal may be made by National Biodiversity Authority/ State Biodiversity Boards/ Union territory Biodiversity Councils or aggrieved party within a period of sixty days from the date on which the copy of the order was received.
(2) The Authority or the State Biodiversity Board or the Union territory Biodiversity Council, as the case may be, may refer the matters relating to contravention or attempt to contravention	(2) The Authority or the State Biodiversity Board or the Union territory Biodiversity Council, as the case may be, may refer the matters relating to contravention or attempt to contravention or abetment		Biological		

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
or abetment of the contravention of the provisions of section 3 or section 4 or section 6 or section 7 of the Act for adjudication, through any authority or officer empowered under section 55B of the Act.	of the contravention of the provisions of section 3 or section 4 or section 6 or section 7 of the Act for adjudication, through any authority or through presenting officer or officer empowered under section 55B of the Act.	copy of the order was received.	Diversity (Amendment) Act, 2023. The appeal may be made by National Biodiversity Authority/ State Biodiversity Boards/ Union territory Biodiversity Councils or aggrieved party within a period of sixty days from the date on which the copy of the order was received.		
(3) Manner of holding enquiry: - (a) the adjudicating officer shall issue a notice to the person or entity alleged to have contravened or made an attempt to contravene or abetted the contravention of the provisions of section 3 or section 4 or	(3) Manner of holding enquiry: - (a) the adjudicating officer shall issue a notice to the person or entity alleged to have contravened or made an attempt to contravene or abetted the contravention of the provisions of section 3 or section 4 or section 6				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
section 6 or section 7 of the Act to show cause as to why the penalty should not be imposed; (b) on receipt of reply submitted by such person or entity, the adjudicating officer shall issue a notice of hearing to such person or entity and to the authority or officer through whom the case was referred; empowered under section 55B of the Act; (c) where the person or entity pleads guilty in reply to the notice referred to in clause (a), the	or section 7 of the Act to show cause as to why the penalty should not be imposed; (b) on receipt of reply submitted by such person or entity, the adjudicating officer shall issue a notice of hearing to such person or entity and to the authority or officer through whom the case was referred; empowered under section 55B of the Act; (c) where the person or entity pleads guilty in reply to the notice referred to in clause (a), the				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
adjudicating officer shall record the plea and impose the penalty as he deems fit; (d) for the cases not covered under clause (c), the adjudicating officer after conducting hearing(s) and giving a reasonable opportunity of being heard to both parties, may pass an order as he deems fit after recording the reasons in writing; (e) where any person or entity fails to reply or appear before the adjudicating officer	adjudicating officer shall record the plea and impose the penalty as he deems fit; (d) for the cases not covered under clause (c), the adjudicating officer after conducting hearing(s) and giving a reasonable opportunity of being heard to both parties, may pass an order as he deems fit after recording the reasons in writing; (e) where any person or entity fails to reply or appear before the adjudicating officer pursuant to the notice				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
<p>pursuant to the notice referred to in clause (a), the adjudicating officer may proceed with hearing the case <i>ex-parte</i> and pass an appropriate order;</p> <p>(f) for conducting the proceedings of the case, the adjudicating officer shall have the powers to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document;</p> <p>(g) the adjudicating officer may also refer to</p>	<p>referred to in clause (a), the adjudicating officer may proceed with hearing the case <i>ex-parte</i> and pass an appropriate order;</p> <p>(f) for conducting the proceedings of the case, the adjudicating officer shall have the powers to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document;</p> <p>(g) the adjudicating officer may also refer to the findings of the authority or officer authorized under</p>				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
the findings of the authority or officer authorized under section 55B of the Act or utilize their services, wherever necessary.	section 55B of the Act or utilize their services, wherever necessary.				
(4) For determining the quantum of penalty, the adjudicating officer shall have due regard to the following factors, namely: - (a) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of contravention of the provisions of the Act;	(4) For determining the quantum of penalty, the adjudicating officer shall have due regard to the following factors, namely: - (a) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of contravention of the provisions of the Act;	26) Factors to be Considered while Determining Quantum of Penalty For determining the quantum of penalty, the Adjudicating Officer shall have due regard to the following factors, namely: - (1) the amount of disproportionate gain or unfair advantage,	EC agreed to this modified rule.		Authority agreed to the recommendation of the EC and renumbered the rule. 27) Factors to be Considered while Determining Quantum of Penalty

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(1)	(2)	(3)	(4)	(5)	(6)
<p>(b) the penalty for contravention of the provisions referred to in section 55 of the Act shall not be less than one lakh rupees and may extend to fifty lakh rupees;</p> <p>(c) In case the damage caused, exceeds the amount of penalty under clause (b) then the penalty shall be commensurate with the damage caused;</p> <p>(d) In case of a failure or continued contravention, an additional penalty not exceeding one crore</p>	<p>(b) the penalty for contravention of the provisions referred to in section 55 of the Act shall not be less than one lakh rupees and may extend to fifty lakh rupees;</p> <p>(c) In case the damage caused, exceeds the amount of penalty under clause (b) then the penalty shall be commensurate with the damage caused; The word damage includes damage to the environment and value of the biological resource used by violating the provisions of the Act.</p>	<p>wherever quantifiable, made as a result of contravention of the provisions of the Act;</p> <p>(2) the penalty for contravention of the provisions referred to in section 55 of the Act shall not be less than one lakh rupees and may extend to fifty lakh rupees;</p> <p>(3) In case the damage caused, exceeds the amount of penalty under sub-rule (2) then the penalty shall be commensurate with the damage caused;</p>			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 [with addition / deletion]	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
<p>rupees may be imposed over and above the penalty under clause (b) or (c);</p> <p>(e) such other factors which the adjudicating officer considers necessary to the case in furtherance of justice:</p> <p>Provided that no such penalty shall be imposed without giving the person or entity concerned a reasonable opportunity of being heard in the matter following the principles of natural justice.</p>	<p>(d) In case of a failure or continued contravention, an additional penalty not exceeding one crore rupees may be imposed over and above the penalty under clause (b) or (c);</p> <p>(e) such other factors which the adjudicating officer considers necessary to the case in furtherance of justice:</p> <p>Provided that no such penalty shall be imposed without giving the person or entity concerned a reasonable opportunity of</p>	<p>The word damage includes damage to the environment and value of the biological resource used and value of the products derived from it by violating the provisions of the Act.</p> <p>(4) In case of a failure or continued contravention, an additional penalty not exceeding one crore rupees may be imposed over and above the penalty under sub-rule (2) or (3);</p> <p>(5) Any other factors as may be considered by the Adjudicating Officer</p>			

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 (modifications made by the Authority are shown in Red color text)	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation (modifications made by the MoEFCC are shown in Blue color text)	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) (modifications made by the EC are shown in Pink color text)	Observation of NBA secretariat on the text given in Column no.4 (comments are shown in Green color text)	Decision of the 70 th Authority held on 29.07.24 (Changes are shown in Violet color text)
(1)	(2)	(3)	(4)	(5)	(6)
	being heard in the matter following the principles of natural justice.	to be relevant for the conservation of biological diversity and protection of the environment:			
(5) If the adjudicating officer is satisfied that the person or entity concerned has failed to comply with the provisions of section 3 or section 4 or section 6 or section 7 of the Act, he shall impose a penalty as deemed fit in accordance with the provisions of section 55 of the Act.	(5) If the adjudicating officer is satisfied that the person or entity concerned has failed to comply with the provisions of section 3 or section 4 or section 6 or section 7 of the Act, he shall impose a penalty as deemed fit in accordance with the provisions of section 55 of the Act.	Provided that no such penalty shall be imposed without giving the person or entity concerned a reasonable opportunity of being heard in the matter following the principles of natural justice. (6) The penalty /additional penalty as imposed by the Adjudicating Officer under this Act shall be in addition to the liability to			
(6). Any person or entity aggrieved by the order of the adjudicating officer, may prefer an appeal to the National Green	(6). Any person or entity aggrieved by the order of the adjudicating officer, may prefer an appeal to the National Green				

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
Tribunal within a period of sixty days from the date on which the copy of the order was received.	Tribunal within a period of sixty days from the date on which the copy of the order was received.	pay relief or compensation under section 55 of the Act read with section 17 of the National Green Tribunal Act, 2010. (7) For matters mentioned under sub-rule (6), the penalty imposed by the Adjudicating Officer shall be in addition to, and not in substitution of such penalty or compensation.			
37). Deposition of the penalty amount.- All the amounts of penalties so collected	37). Deposition of the penalty amount.- All the amounts of penalties so collected	27) Deposition of the penalty amount. - All the amounts of penalties so collected under sub-rule (17) of rule	EC agreed to the minor changes made		Authority agreed to the recommendation of the EC and renumbered the sub-rule.

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
under sub-rule (5) of rule 36 for the offences relating to sections 3, 4 and 6 of the Act shall be deposited in the National Biodiversity Fund and all the amounts of penalties relating to offences under section 7 of the Act shall be deposited in the Biodiversity Fund of the State Biodiversity Board or the Union territory Biodiversity Council concerned, as the case may be.	under sub-rule (5) of rule 36 for the offences relating to sections 3, 4 and 6 of the Act shall be deposited in the National Biodiversity Fund and all the amounts of penalties relating to offences under section 7 of the Act shall be deposited in the Biodiversity Fund of the State Biodiversity Board or the Union territory Biodiversity Council concerned, as the case may be.	24 for the offences relating to sections 3, 4 and 6 of the Act shall be deposited in the National Biodiversity Fund and all the amounts of penalties relating to offences under section 7 of the Act shall be deposited in the Biodiversity Fund of the State Biodiversity Board or the Union territory Biodiversity Council concerned, as the case may be.			(28) Deposition of the penalty amount. – All the amounts of penalties so collected under sub-rule (17) of rule 25 for the offences relating to sections 3, 4 and 6 of the Act shall be deposited in the National Biodiversity Fund and all the amounts of penalties relating to offences under section 7 of the Act shall be deposited in the Biodiversity Fund of the State Biodiversity Board or the Union territory Biodiversity Council

Amendments Proposed to the Biological Diversity Rules, 2004 by EC in its report dated 29.09.2023 <i>[with addition / deletion]</i>	Amendments Proposed to the Biological Diversity Rules, 2004 as per the 68 th Authority meeting and sent to MoEFCC on 28.12.2023 <i>(modifications made by the Authority are shown in Red color text)</i>	Biological Diversity Rules 2024 as proposed by MoEFCC after having Inter and Intra Ministerial consultation <i>(modifications made by the MoEFCC are shown in Blue color text)</i>	Suggestions of 21 st EC held on 19.07.24, on the text in column (3) in relation to the text recommended by EC in column (1) <i>(modifications made by the EC are shown in Pink color text)</i>	Observation of NBA secretariat on the text given in Column no.4 <i>(comments are shown in Green color text)</i>	Decision of the 70 th Authority held on 29.07.24 <i>(Changes are shown in Violet color text)</i>
(1)	(2)	(3)	(4)	(5)	(6)
					concerned, as the case may be.
-	38. Penalty for contravention of directions or orders of Central Government, State Government, National Biodiversity Authority and State Biodiversity Boards. (1) The Central Government, State Government, National Biodiversity Authority, State Biodiversity Board and UTBC shall exercise the powers referred under section 56 of the Act in letter and spirit independently as per the statute.	38. Penalty for contravention of directions or orders of Central Government, State Government, National Biodiversity Authority and State Biodiversity Boards. (1) The Central Government, State Government, National Biodiversity Authority, State Biodiversity Board and UTBC shall exercise the powers referred under section 56 of the Act in letter and spirit independently as per the statute.	EC agreed to the deletion of this rule.		Authority agreed to the recommendation of the EC

Revised Draft Biological Diversity Rules, 2024
as approved in the 70th Authority Meeting (special) held on 29.07.2024

(Changes shown in Violet color)

In exercise of the powers conferred by section 62 of the Biological Diversity Act, 2002 and in supersession of the Biological Diversity Rules, 2004, except as respect to things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -

1) Short title and commencement. -

- 1) These rules may be called the Biological Diversity Rules, 2024
- 2) They shall come into force after completion of 60 days from the date of their notification in the Official Gazette. The rules are applicable prospectively.

2) Definitions. -

In these rules, unless the context otherwise requires,

- (a) "Act" means the Biological Diversity Act, 2002 (18 of 2003) as amended in 2023;
- (b) "Authority" means the National Biodiversity Authority, Chennai established under sub-section (1) of section 8;
- (c) "Adjudicating Officer" means any officer appointed under section 55A of the Act for holding an inquiry on the matter and imposing penalty;
- (d) "Biodiversity Management Committee" means a Biodiversity Management Committee established by a local body under sub-section (1) of section 41. **The Biodiversity Management Committee shall continue to function till the election of a new Chairperson and members of the Committee;**
- (e) "Chairperson" means the Chairperson of the National Biodiversity Authority or as the case may be, of the State Biodiversity Board or Union territory Biodiversity Council;
- (f) "Fee" means any fee as stipulated in the Schedule to these rules;
- (g) "Form" means a Form as annexed to these rules;
- (h) "Member" means a member of the National Biodiversity Authority or a State Biodiversity Board or Union territory Biodiversity Council as the case may be and includes the Chairperson and the Member Secretary;
- (i) "Member-Secretary" means a full time Secretary of the Authority, or of the State Biodiversity Board or of the Union territory Biodiversity Council, as the case may be;
- (j) "Section" means a section of the Act;
- (k) "People's Biodiversity Register" means a comprehensive and dynamic document prepared, validated, maintained and updated by a Biodiversity Management Committee, with the active participation of local communities, and through technical support,

containing information and practices on the wild and cultivated /domesticated flora and fauna, and microorganisms, along with traditional knowledge associated thereto, data of the local *vaid*s, folk healers and hakims, registered AYUSH practitioners, and other holders of traditional knowledge, within the area of its jurisdiction. A certificate of validation as prescribed by the Authority will be attached at the end of People's Biodiversity Register or e-People's Biodiversity Register.

- (l) words and expressions used but not defined in these rules and defined in the Act shall have the meaning respectively assigned to them in the Act.

3) Manner of selection and appointment of the Chairperson of the Authority. –

- (1) The Chairperson of the Authority shall be appointed by the Central Government.
- (2) Every appointment of Chairperson under sub-rule (1) shall be made either on deputation basis including short-term contract or by selection from outside the Government. In case, the appointment is through deputation from the Government or a short-term contract, the applicant should not be below the rank of Additional Secretary to the Government of India.

4) Term of office of the Chairperson of the Authority. –

- (1) The Chairperson of the Authority shall hold the office for a term of three years' and shall be eligible for re-appointment.
- (2) Provided that no Chairperson shall hold office as such after he~~she~~ attains the age of sixty-five years or his~~her~~ term of office expires whichever is earlier.
- (3) The Chairperson may resign from the office by giving at least one-month notice in writing to the Central Government. However, the Central Government may relax the period of notice.

5) Pay and allowances of Chairperson of the Authority. –

- (1) A Chairperson shall be entitled to pay **equivalent** to that of a Secretary to the Government of India. In case, a retired person is appointed as Chairperson, pay shall be fixed in accordance with the extant orders of the Central Government as applicable to such persons.
- (2) A Chairperson shall be entitled to such allowances, leave, pension, provident fund, medical facilities, **new pension scheme**, rent free accommodation or house rent allowance, other perquisites, etc., as may be decided by the Central Government.

6) Term of office and allowances of non-official Members of the Authority. –

- (1) Every non-official member of the Authority shall hold office for a term not exceeding three years at a time from the date of publication of appointment of such member in the Official Gazette.
- (2) Every non-official member attending the meeting of the Authority shall be entitled to sitting allowance, travelling expenses, daily allowance and such other allowances as are applicable to non-official member of Commissions and Committees of the Central Government attending the meeting(s) of such Commissions or Committees.

7) Filling of vacancies of non-official members of the Authority. –

(1) A non-official member of the Authority may tender resignation at any time by giving it in writing addressed to the Central Government under intimation to the Chairperson of the Authority. On acceptance of the resignation by the Central Government, the seat of that member in the Authority shall become vacant.

(2) A casual vacancy of a non-official member in the Authority shall be filled up by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term of the member in whose place such member was nominated.

8) Removal of the members of the Authority. -

No member of the Authority shall be removed from office on any ground specified in section 11, without conducting a due and proper enquiry by the Central Government and without giving such member a reasonable opportunity of being heard.

9) Member-Secretary of the Authority.-

(1) The Central Government shall appoint a Member-Secretary to the Authority.

(2) The Member-Secretary shall be entitled to pay equivalent to that of Joint Secretary to the Government of India.

(3) The terms and conditions of appointment of the Member-Secretary shall be determined by the Central Government

(4) The Member-Secretary shall be the Chief Coordinating Officer and responsible for convening the meetings of the Authority, maintenance of the records of the proceedings of the Authority and such other matters as may be assigned to him/her by the Authority or by the Chairperson.

(5) The Member-Secretary shall be in-charge of all the confidential papers and records of the Authority and shall be responsible for their safe custody

(6) All directions, resolutions, orders and instructions issued by the Authority generally shall be under the seal and signature of the Member-Secretary or any other officer authorized by the Chairperson in this behalf.

10) Meetings of the Authority. -

(1) The Authority shall meet at least once in three months in a year at the Headquarters of the Authority or at such place as may be decided by the Chairperson.

(2) The Chairperson shall, upon a written request from not less than six members of the Authority or upon a direction of the Central Government, call a special meeting of the Authority.

(3) The members shall be given at least fifteen days' notice for holding an ordinary meeting and at least three days' notice for holding a special meeting specifying the purpose, the time and the place at which such meeting is to be held:

Provided that the Chairperson may authorize convening an emergency meeting of the Authority by giving a short notice to the members for considering and taking decisions on urgent matters:

Provided further that for conducting special and emergency meetings, the requirement of maintaining quorum under rule 10(7) will not be applicable.

(4) Every meeting shall be presided over by the Chairperson and in the absence of the Chairperson, a presiding officer to be elected in the presence of Member Secretary from amongst the members present.

(5) The decisions of the Authority at a meeting shall, if necessary, be taken by a simple majority of the members present and voting and the Chairperson or in absence of the Chairperson, the member presiding shall have a second or casting vote.

(6) Each member including the Member-Secretary shall have one vote.

(7) The quorum at every meeting of the Authority shall be **seven**.

(8) No member shall be entitled to bring forward any matter for the consideration of a meeting of which he/she has not given ten days' notice unless the Chairperson in his/her discretion permits to do so.

(9) Notice of the meeting may be given to the members by the Member-Secretary of the Authority electronically or in such other manner as deemed fit in the circumstances of the case.

11. General functions of the Authority-

The Authority may perform the following functions; namely: -

(1) lay down the procedures and guidelines to implement the provisions of the Act including those under sections 3, 4, 5, 6, 19, 20, 21 and 36A. NBA may prepare sector-specific regulations / guidelines, as and when required;

(2) determine, and collect benefit sharing component under sections 6, 19, 20 and 21 of the Act in respect of biological resources and or traditional knowledge associated thereto from time to time;

(3) administer the National Biodiversity Fund;

(4) sanction grants to the State Biodiversity Boards or Union territory Biodiversity Councils and Biodiversity Management Committees for specific purposes;

(5) decide on the format and contents of the mutually agreed terms of the various agreements to be executed between the parties embodying the approvals of the Authority;

(6) provide technical and legal advice, clarifications and guidance to the State Biodiversity Boards or Union territory Biodiversity Councils for implementing the provisions of the Act;

(7) coordinate the activities of the State Biodiversity Boards and the Union territory Biodiversity Councils;

(8) specify the electronic and/ or manual formats of the People's Biodiversity Register and lay down the procedure for documentation of information related to biodiversity, its periodic updating, securely maintaining it in an electronic/ digitized form and for sharing of such information;

(9) develop databases and documentation systems for biological resources and traditional knowledge associated thereto through People's Biodiversity Registers in a given geographical area;

(10) provide guidance and technical support to the Biodiversity Management Committees through the State Biodiversity Board/Union territory Biodiversity Council or directly, if required for preparation, validation and maintenance of the People's Biodiversity Registers;

(11) report to the Central Government about the functioning of the Authority and implementation of the Act;

(12) inspect any area and examine documents in connection with the implementation of the Act;

(13) collect, compile and publish technical and statistical data, manuals, codes or guides relating to biodiversity including conservation, sustainable use of its components, and fair and equitable sharing of benefits arising out of the use of biological resources and knowledge associated thereto;

(14) sponsor studies, research, investigations, projects, workshops, seminars, conferences, etc., to achieve the objectives of the Act;

(15) create awareness and organize training and capacity building programmes for all stakeholders including the line departments and academic, scientific and research institutions for achieving the objectives of the Act;

(16) prepare the annual budget, maintain proper accounts and other relevant records, and prepare an annual statement of accounts in such form, as may be prescribed by the Central Government;

(17) frame regulations governing the recruitment and conditions of service of the officials of the Authority;

(18) engage consultants and advisors, for a specific period, not exceeding three years, for providing assistance to the Authority for the effective discharge of its functions:

Provided that if it is necessary and expedient to engage any consultant or advisor beyond a period of three years, the Authority shall seek prior approval of the Central Government.

(19) recommend creation of posts, periodic revision of recruitment rules, pay and allowances and terms and conditions of service to the Central Government for effective discharge of the functions by the Authority;

(20) function as a Competent National Authority for the purposes of Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity;

(21) adjudicate the disputes of State Biodiversity Boards and/ or Union territory Biodiversity Councils as referred to by the Central Government;

(22) lay down model procedural guidelines for adjudicating disputes of the Biodiversity Management Committees by the State Biodiversity Boards or Union territory Biodiversity Councils;

(23) develop procedures, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils, National Medicinal Plants Board of Ministry of AYUSH, or any other authority as deemed appropriate, for seeking exemption under sub-section (1) of section 7 on production of a certificate of origin of cultivated medicinal plants

(24) may suggest guidelines for framing rules by the State Government/Union territory Administration for conservation and management of the areas of biodiversity importance notified as biodiversity heritage sites

(25) formulate model guidelines for levying charges by way of collection fee by the Biodiversity Management Committees for accessing biological resources from their jurisdiction;

(26) facilitate the Biodiversity Management Committees, whenever necessary, for providing prior informed consent by the local communities for access to biological resources and the traditional knowledge associated thereto;

(27) develop a comprehensive friendly online Information Technology portal for the discharge of its various duties and functions in a transparent and accountable manner.

12) Powers and duties of Chairperson.

(1) The Chairperson shall have overall control of the day-to-day activities of the Authority.

(2) The Chairperson shall have the powers of general superintendence over the officials of the Authority and issuing necessary directions for the conduct and management of the functions of the Authority.

(3) The Chairperson, either directly or through the Member-Secretary or any other officer of the Authority authorized for the purpose, may sanction and disburse all payments against the approved budget.

(4) The Chairperson shall have full powers for granting administrative, financial and technical sanctions to all the proposals.

(5) The Chairperson may delegate the powers of the “Head of the Department” to the Member-Secretary and the “Head of the Office” to any officer not below the rank of Section Officer in the Government of India.

(6) The Chairperson shall take all necessary measures for the implementation of all decisions taken by the Authority in proper manner.

(7) To meet the present and imminent emergency situations like epidemics and pandemics particularly those that threaten, or damage human, animal or plant health as determined at national and international level, the Chairperson shall exercise the powers of the Authority for granting expeditious approvals and shall place all such approvals before the next meeting of the Authority for ratification.

(8) The Chairperson shall exercise such other powers and perform such other functions as may be delegated by the Authority or the Central Government from time to time.

13) Procedure for access to biological resources and/or knowledge associated thereto.

(1) Any person, referred to in sub-section (2) of section 3 of the Act, seeking approval of the Authority for access to biological resources and/or knowledge associated thereto for research or for bio-survey and bio-utilization shall make an application on the web portal of the Authority in **Form '1'**, and for commercial utilization shall make an application on the web portal of the Authority in **Form '2'**.

(2) Any person, referred to in sub-section (2) of section 3 of the Act, who was in possession of a biological resource before the coming into force of the Biological Diversity (Amendment) Act, 2023, shall seek approval of the Authority for the purpose of research, commercial utilization, bio-survey and bio-utilization.

(3) Every application under sub-rule (1) shall be accompanied by a prescribed fee in the form of electronic transfer / digital payment to the National Biodiversity Fund.

(4) The Authority may, after consultation with the concerned Biodiversity Management Committee(s) either directly or through State Biodiversity Board(s) or Union territory Biodiversity Council(s), and after collecting such additional information from the applicant and other sources, as required, and based on the merits of the application, may accord approval subject to terms and conditions, including benefit sharing, or reject, as deemed fit within a period of 90 days from the receipt of the application in complete form:

Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application will be liable for closure. The applicant will be informed about the closure:

Provided further that the Biodiversity Management Committee before conveying its views to the Authority, may consult, wherever required, the concerned community, individual or entity to whom the bio-resource belongs to, as the case may be, to ensure their prior informed consent:

Provided also that in cases of present or imminent emergencies, the Authority shall process the application expeditiously.

(5) The approval to access shall be in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:

Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. **Such** closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule (3) within a period of 90 days

(6) The Authority may for reasons to be recorded in writing, reject an application if it considers that the request cannot be acceded to:

Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.

(7) The Authority shall publicize all the **approvals granted or rejected on its own** website and shall also ensure that such information is shared with other agencies, as may be required.

(8) The compliance with the terms and conditions of the agreement shall be monitored by the Authority by involving State Biodiversity Board or Union territory Biodiversity Council, Biodiversity Management Committee or any other agency as deemed appropriate by the Authority.

14) Restricting access to biological resources and knowledge associated with such biological resources . -

The Authority after conducting such enquiry as deemed appropriate in respect of one or more clauses under **this rule, shall take steps to restrict or prohibit access to biological resources** and or knowledge associated with such biological resources for the following reasons:

(1) the request for access is for any threatened and/ or endemic species including those notified under section 38 of the Act.

(2) the request for access may result in an adverse impact on the livelihood and/ or socio-cultural aspects of the local communities.

(3) the request for access may result in adverse environmental impact(s) which may be difficult to control and mitigate.

(4) the request for access may cause genetic erosion or affect the ecosystem functions including in the areas notified under section 37 of the Act;

(5) the request is for the use of resources for purposes contrary to national interest and other related international agreements entered into by India.

6) Notwithstanding the above-mentioned conditions under **sub –rule (1) to (5) of the rule, NBA / SBB/UTBC** may permit access to cultivated species mentioned under the above five categories depending on merits of each case for a specific period.

(7) for any other reasons to be recorded in writing.

15) Procedure for seeking approval for sharing or transferring results of research to persons covered under sub-section (2) of section 3 of the Act.-

(1) Any person who intends to share or transfer any result of the research relating to biological resources and **I** or traditional knowledge associated thereto **to** persons covered under sub-section (2) of section 3 of the Act shall make an application on the web portal of the Authority in the following Forms:

a) Form ‘3’ for seeking prior approval of the Authority by any person for sharing or transferring the results of research to **persons covered under sub-section (2) of section 3 of the Act** for commercial purposes or otherwise.

b) Form ‘4’ for registration by the transferee **(persons covered under sub-section (2) of section 3 of the Act)** to use the results of research for further research.

c) Form '5' for seeking prior approval of the Authority to use the results of research for commercial utilisation by the transferee **(persons covered under sub-section (2) of section 3 of the Act).**

d) Form '6' for seeking prior approval of the Authority to use the results of research for obtaining intellectual property rights by the transferee **(persons covered under sub-section (2) of section 3 of the Act).**

(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in an electronic / digitized form to the National Biodiversity Fund.

(3) The Authority after collecting such additional information from the applicant and other sources, as required, and based on the merits of the application, may accord approval subject to such terms and conditions including benefit sharing, or reject, as deemed fit, within a period of 90 days for applications referred under (a), (c) and (d) of sub-rule (1):

Provided that if the requisite information sought by the Authority has not been made available by the applicant within a period of 30 days from the date of seeking information, the application will be liable for closure. The applicant will be informed about the closure

Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.

(4) The approvals referred under (a), (c) and (d) of sub-rule (1) shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:

Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 60 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. **Such** closed application may be revived on receipt of payment of half of the fee prescribed for fresh application under sub-rule (2) within a period of 90 days.

(5) If the Authority is of the opinion that activities referred to in the registration made under sub-rule (1)(b) are detrimental or contrary to the objectives of the Act, it may by order, prohibit or restrict any such activity.

(6) The applicant so registered with the Authority under sub-rule (1)(b) shall submit periodic status report(s) as may be prescribed by the Authority.

16) Procedure for registration and obtaining prior approval from the Authority before grant of intellectual property rights. –

1) Procedure for seeking prior approval before grant of intellectual property rights by any person covered under sub-section (2) of section 3 of the Act shall be as follows:

(a) Any person covered under sub-section (2) of section 3 of the Act, applying for any intellectual property rights, in or outside India by applying on the web portal of the Authority in **Form '7'**, for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, shall seek prior approval of the Authority, before grant of intellectual property rights, by the **competent authority** in India or elsewhere.

(b) Every application under sub-rule (1)(a) shall be accompanied by a prescribed fee in the form of electronic/ digitized transfer to the National Biodiversity Fund.

(c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of **180 days** from the date of receipt of application or on receipt of requisite information whichever is later, subject to such terms and conditions including benefit sharing, as it may deem fit:

Provided that the application will be liable for closure if the requisite information sought by the Authority has not been made available by the applicant within a period of 90 days from the date of seeking information and the applicant shall be informed about such closure by way of a reasoned order.

(d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:

Provided that the application is deemed to be closed, if the applicant does not sign the agreement within a period of 90 days from the date of communication of the draft agreement by the Authority, upon intimation to the applicant. **Such** closed application may be revived on receipt of payment of the half of the fee prescribed for submitting fresh application under sub-rule 1(b) within a period of 90 days.

(e) The applicant shall intimate the Authority within 45 days from the date of the grant of the intellectual property rights, failing which action as deemed fit will be taken by the competent authority.

(f) The Authority, for reasons to be recorded in writing, may reject an application if it considers that the request cannot be acceded to:

Provided that the application shall not be rejected unless the applicant has been given a reasonable opportunity of being heard.

(2) Procedure for registration before obtaining intellectual property rights by any person covered under section 7 of the Act shall be as follows:

(a) Any person covered under section 7 of the Act, applying for any intellectual property rights, in or outside India, shall register on the web portal of the Authority **in Form '8'**, for any invention based on research or information including digital sequence information on biological resource which is accessed from India, including those deposited in repositories outside India, or traditional knowledge associated thereto, before grant of such intellectual property rights by the **competent authority** in India or abroad.

b) Every application under sub-rule (2)(a) for registration with the Authority, shall be accompanied by a prescribed fee in the form of electronic/ digitized transfer to the National Biodiversity Fund.

(c) If the Authority is of the opinion that such an invention is the result of access to the knowledge held by a community or an individual or a group of individuals in an illegal manner, the Authority may recommend to the adjudicating officer to impose higher penalty with regard to damage and also value assessed / realized, as the case may be.

(d) The applicant shall intimate the Authority within 45 days of the grant of the intellectual property rights.

(e) The applicant at the time of registration shall give an undertaking that prior approval of the Authority will be taken before commercialization of the intellectual property rights.

(3) Procedure for obtaining prior approval of the Authority for commercialization of the intellectual property rights by any person covered under section 7 of the Act shall be as follows:

(a) At the time of commercialization of the intellectual property rights referred to under sub-rule (2)(e), the applicant shall obtain prior approval by applying on the web portal of the Authority in **Form '9'**.

(b) Every application under sub-rule (3)(a) shall be accompanied by a prescribed fee in the form of electronic/ digitized transfer to the National Biodiversity Fund.

c) The Authority shall, after collecting such additional information from the applicant and other sources as deemed appropriate, and on being satisfied with the merits of the application, take a decision on granting approval or otherwise within a period of 180 days from the date of receipt of application or on receipt of requisite information whichever is later, subject to such terms and conditions including benefit sharing, as it may deem fit:

(d) The approval shall be granted in the form of an agreement on mutually agreed terms duly signed by an authorized officer of the Authority and the applicant:

Provided that the application is deemed to be closed if the applicant does not sign the agreement within a period of 90 days from the date of communication of the draft agreement by the Authority to the applicant. **Such** closed application may be revived on receipt of payment of the half of the fee prescribed for fresh application under sub-rule 3(b) within a period of 90 days.

17 Revocation of access or approval. -

(1) The Authority may either on the basis of a complaint or suo moto withdraw the approvals granted ~~for access~~ under rules 13, 15, 16(1) & (3) and 20 revoke the agreement in full or in part, ~~upon~~ after affording reasonable opportunity of being heard to the applicant, under the following conditions, namely: -

(i) on the basis of reasonable belief that the person to whom the approval was granted has declared false or misleading information or violated any of the provisions of the Act or the conditions on which the approval was granted;

(ii) when the person who has been granted approval has failed to comply with any of the terms and conditions of the agreement;

(iii) on account of larger public interest or for the protection of environment and conservation of biological diversity, or on the basis of new facts or information brought to the notice of the Authority.

(2) The Authority shall forward a copy of every order of revocation issued by it to the State Biodiversity Board or Union territory Biodiversity Council and the Biodiversity Management Committee(s) concerned for prohibiting the access and also to assess the damage caused, if any, and to take steps to recover the damages

18) Measures for monitoring and regulating the use in India of biological resource and/ or associated traditional knowledge obtained from any foreign country. -

(1) Any person who intends to use in India the biological resource and/ or traditional knowledge associated thereto obtained from any foreign country for research or for commercial purpose or for obtaining intellectual property rights, shall submit a declaration in Form '10' on the web portal of the Authority or any other organization authorized by the Central Government.

(2) The Authority or any other organization as authorized by the Central Government, after obtaining relevant information from the user of such biological resource and/ or traditional knowledge associated thereto, shall notify the same on the Access and Benefit-Sharing Clearing-House of the Convention on Biological Diversity.

(3) Based on the request of the provider country, the Authority or any other organization authorized by the Central Government shall take appropriate measures on such use.

19) Procedure for obtaining a certificate of origin for cultivated medicinal plants. -

(1) Any person covered under section 7 of the Act, who intends to claim an exemption for accessing cultivated medicinal plants under sub-section (2) of section 7, shall **submit** self-declaration in **physical or digital form** to obtain a certificate of origin from the Biodiversity Management Committee concerned in **Form '11A'**.

(2) The self-declaration referred to in sub-rule (1) shall contain details including the name and address of the applicant and the cultivator, geographical location including survey number, extent of area under cultivation along with the details of the species being cultivated and parts thereof, and approximate quantity of the biological resources being accessed.

(3) The application shall be accompanied by a prescribed fee preferably in the form of electronic/digital transfer to the Local Biodiversity Fund.

(4) The Biodiversity Management Committee, based on the application submitted by the applicant including the cultivation and post-harvest details of the medicinal plants, and the entries made in the books maintained in **Format "11B"**, shall issue the certificate of origin of the cultivated medicinal plants referred to under sub-section (3) of section 7 of the Act and sub-rule (1) within a period of 15 days. If the certificate of origin is not issued within a period of 15 days, **the applicant shall approach the State Biodiversity Board concerned. The State Biodiversity Board shall give direction to the Biodiversity Management Committee concerned to dispose the case within 7 days. In the event dispute between the applicant, Biodiversity Management Committee and State Biodiversity Board concerned, the same shall be referred to the Authority by State Biodiversity Board concerned. In such cases, decision of the Authority shall be final and binding on the Biodiversity Management Committee.**

(5) The Authority, in consultation with the State Biodiversity Boards/Union territory Biodiversity Councils or any other authority as deemed appropriate, shall develop procedures for seeking exemption under sub-section (2) of section 7 of the Act.

(6) For claiming exemption under sub-section (2) of section 7 of the Act, the onus of proof of source of origin of the medicinal plants shall lie on the end-user.

20) Procedure for conducting non-commercial research or research for emergency purposes outside India by Indian researcher or institution. -

(1) Any Indian researcher or institution who intends to carry or send the biological resource(s) outside India to undertake non-commercial research including carrying out urgent studies to address certain present or imminent emergencies like epidemics, etc., shall apply on the web portal of the Authority in **Form '12'**:

Provided that in case the traditional knowledge associated thereto is also to be transferred /carried along with the biological resources, the approval of the Authority shall be taken by the concerned foreign institution under rule 13.

(2) Every application under sub-rule (1) shall be accompanied by a prescribed fee in the form of electronic/ digitized transfer to the National Biodiversity Fund.

(3) The Authority shall, on being satisfied with the application under sub-rule (1), accord its approval within a period of 45 days from the date of receipt of the application.

(4) On receipt of approval of the Authority under sub-rule (3), the applicant shall deposit voucher specimens in the designated national repositories, wherever required, before carrying or sending the biological resource(s) outside India and a copy of proof of such deposits shall be endorsed to the Authority.

21) Exemption of certain biological resources from the provisions of the Act when normally traded as commodities. -

(1) The Central Government may, as and when considered necessary, in consultation with the Authority, by notification, exempt certain biological resources from the purview of all or any of the provisions of the Act when normally traded as commodities or the items derived from them:

Provided that no exemption shall be made for the activities referred to in sub-section (1) including (1A) and (1B), and sub-section (2) of section 6 of the Act.

(2) Normally traded as commodities referred to in sub rule (1) are biological resources, when used for the purpose mentioned under **section 40**, other than for research, obtaining IPR, or for bio-survey and bio-utilization or for commercial utilization including-

- a) cultivated plants, their parts including agricultural wastes, and items derived from them;
- b) domesticated animals, their parts and items derived from them;
- c) cultured fishes, their parts and items derived from them; and
- d) timber from commercial forestry.

(3) Any entity covered under section 7 of the Act, seeking exemption under section 40 of the Act, shall register with the Authority in the manner prescribed in the notification referred to under sub-rule (1). The onus of establishing the purpose and source of the commodities while seeking such exemption shall lie on the entity.

(4) The **list of biological resources normally traded as commodities** is dynamic and is based on criteria as per the provisions of the Act. The biological resources or items or activities or categories may be included or excluded from the list as and when required.

(5) Any entity covered under section 3(2) or Section (7) of the Act established / registered in India can export **items or biological resources that are not listed as normally traded as commodities (non-NTAC)** subject to relevant laws / rules / regulations to comply with the ABS mechanism. **Section 7 person shall apply to NBA in Form '16', and Section 3(2) person shall apply to NBA in Form '17' for the above said purpose.**

22) Management and utilization of National Biodiversity Fund

1) The National Biodiversity Fund shall be operated by the Chairperson or by such other officer of the Authority as may be authorized in this regard.

(2) The National Biodiversity Fund shall have two separate heads of accounts, one relating **to the receipt of grants or loans from the Central Government under section 27(1) (a) and the other, for all sums including charges and benefit sharing amount under section 27 (1) (b) and (c) of the Act. The National Biodiversity Fund shall be utilized for the activities covered under section 27(2), as decided by the Authority.**

(3) All receipts including monetary benefits accrued shall be deposited in the National Biodiversity Fund.

4) Of the accrued benefits, 10 to 15% may be earmarked for the Authority or State Biodiversity Board or Union territory Biodiversity Council, as the case may be, for the purpose of meeting the administrative expenses and the rest may be transferred to benefit claimers.

(5) The Authority may specify measures for monitoring the utilization of the fund.

23) Appeal for settlement of disputes under Section 50.-

(1) If a dispute arises between the Authority and a State Biodiversity **Board** or Union territory Biodiversity Council or Boards and Councils on account of implementation of any order or direction or on any policy decision, either of the aggrieved parties i.e., Authority or the Board or the Council, as the case may be, may prefer an appeal under section 50 in **Form '13'**, to the Central Government addressed to the Secretary, Ministry of Environment, Forest and Climate Change.

(2) In the event of a dispute between a State Biodiversity Board or Union territory Biodiversity Council and another State Biodiversity Board or Council or among Boards or Councils, the aggrieved Board(s) or Council(s), may prefer the point(s) of dispute and relief sought for in a memorandum of appeal to the Central Government, which shall refer the same to the Authority for resolution.

(3) The memorandum of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved. It shall be submitted online, within 30 days from the date of the impugned order, direction or policy decision:

Provided that if the Central Government is satisfied that there was a good and sufficient ground for the delay in preferring the appeal, it may, for reason(s) to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days from the date of the impugned order, direction or policy decision, as the case may be.

(4) The notice for hearing the appeal shall be given on the web portal of the Authority in **Form '14'**.

(5) In adjudicating a dispute under sub-rule (2), the Authority shall be guided by the principles of natural justice and as far as practicable, follow the same procedure which the Central Government is required to follow under this rule.

(6) The appellate authority, after hearing the appellant(s) and other parties, and after taking into consideration other relevant facts, if any, shall dispose of the appeal.

(7) In disposing of an appeal, the appellate authority may modify or cancel the impugned order, direction or policy decision, as the case may be.

(24) Cognizance of offences by a court. –

(1) The Central Government or any authority or officer authorised by the Central Government under section 61(a) of the Act, may make a written complaint to the court having jurisdiction to take cognizance of any offence under section 56 of the Act.

(2) Any person or a benefit claimer may give a notice of not less than thirty days in Form '15' of his intention to make a complaint about an offence under this Act, to the Central Government or the authority or officer authorized in that behalf.

(3) The notice referred to in sub-rule (2) shall be given on the web portal of the Authority/to the authorized officer through a registered post with acknowledgement due/speed post.

(4) On the expiry of a period of thirty days after issue of notice referred to under sub-rule (2), and on not being satisfied with the action or inaction of the authority concerned to whom the notice was served, such person or the benefit claimer may file a written complaint before a court having jurisdiction to take cognizance of the offence under the Act.

(5) The period of thirty days mentioned in sub-rule (2) shall be reckoned from the date of receipt of the notice by the authority or officer authorized referred to under sub-rule (2).

(6) Any authority or officer authorized under section 61(a) of the Act shall be deemed to have been authorized under section 55B of the Act.

(25) Manner of Inquiry by the Adjudicating Officer:

(1) No Adjudicating Officer shall take cognizance of any non-compliance or contravention of the provisions of this Act, or the rules made or orders or directions issued thereunder, unless such matter is initiated by the Presenting Officer **on behalf of the authorized officer**, along with all necessary documents, either on its own motion or on receipt of a representation. The

presenting officer shall be a legal professional and shall appear and present the case before the adjudicating officer, on behalf of the authorized officers, within their respective jurisdiction.

(2) The Officers authorized for taking cognizance of violations within their respective jurisdiction shall present the matter before the concerned Adjudicating Officer of the Central/State/Union Territory, through the Presenting Officer, as per the jurisdiction mentioned therein.

(3) The Presenting Officer shall, before forwarding the matter under **sub-rule** (1) to the Adjudicating Officer, process the same exercising reasonable due diligence, in order to bring on record all relevant facts and circumstances that need to be taken into account for imposing penalty, and also to ascertain if it is a matter necessary for adjudication. The authorized officer shall provide all the relevant documents and facts related to the case, to the presenting officer

(4) Within 30 days of receipt of a matter, the Adjudicating Officer shall issue notice to the concerned Presenting Officer as well as to the person against whom non-compliance or contravention to the provisions of section 3 or section 4 or section 6 or section 7 of the Act **is alleged** under section 55B of the Act, along with the particulars of the matter against him clearly specifying the nature of non-compliance or contravention, and such person may either appear personally or through an authorised representative, on such date as specified, which shall not be less than 15 days from the date of service thereon and shall not exceed 30 days, in such format as may be prescribed by the Central Government.

(5) On such date as specified in the Notice, the person or his authorised representative may admit or deny the allegations levelled against him, before the Adjudicating Officer.

(6) Under sub-rule (5), if the person or his representative admits to the allegations, the Adjudicating Officer shall state in his order such admission of the respondent, along with the quantum of penalty imposed in such format as may be prescribed by the Central Government, and send a copy of the order to the concerned Presenting Officer as well as the person who has lodged the matter, if applicable.

(7) In cases not covered under sub-rule (6), the Adjudicating Officer shall fix a date for inquiry and communicate the same to the concerned Presenting Officer, for presentation of the matter.

(8) On the date fixed, the Adjudicating Officer shall give an opportunity to the person to produce documents or evidence as he may consider relevant to the inquiry.

(9) If any person fails or refuses to appear before the Adjudicating Officer as required by sub-rule (8) without sufficient cause, the Adjudicating Officer may proceed with the inquiry in the absence of such person, ex-parte.

(10) The adjudicating officer may also refer to the findings of the Authority or officer authorized under section 55B of the Act or utilize their services, wherever necessary.

(11) While holding such inquiry, the Adjudicating Officer shall have power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the matter to give evidence or to produce any document which, in the opinion of the Adjudicating Officer, may be useful for or relevant to the subject matter of the inquiry.

Explanation: For the purposes of this sub-rule, the Adjudicating Officer shall have the following powers of a Civil Court, as specified in the Civil Procedure Code, 1908:

- (a) Summoning and enforcing the attendance of any person and examining him on oath;
- (b) Requiring the discovery and production of documents or other electronic records; and
- (c) Receiving evidence on affidavits.

(12) On presentation of matter by the concerned Presenting Officer, defense given by the person and recording of such information as necessary, the Adjudicating Officer shall either dismiss the allegation or make such other order as it deemed fit.

(13) All orders of the Adjudicating Officer shall be speaking orders, irrespective of whether penalty has been imposed by such order or not.

(14) The Adjudicating Officer shall complete the adjudication of every matter within three months from the date fixed under sub-rule (7), which is extendable upto three more months if sufficient cause exists.

(15) If the subject-matter received under sub-rule (4) is already in question before the National Green Tribunal or any other Court of competent jurisdiction on the date of receipt of the matter, the proceedings under this rule shall not be initiated unless such latter case is finally disposed of.

(16) The Adjudicating Officer may make a preliminary order of adjournment of proceedings in cases falling under sub-rule (15), in such format as may be prescribed by the Central Government.

(17) If the adjudicating officer is satisfied that the person or entity concerned has failed to comply with the provisions of section 3 or section 4 or section 6 or section 7 of the Act, he shall impose a penalty as deemed fit in accordance with the provisions of section 55 of the Act.

(18) The Adjudicating Officer shall not pass an order for penalty if the Tribunal/Court has already passed an order to that effect in proceedings under sub-rule (15).

26) Appeals from the Order of the Adjudicating Officer

All appeals that arise from the orders passed by the Adjudicating Officer under the Act shall lie to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010 (19 of 2010), as per section 52A of the **Act**. The appeal may be made by National Biodiversity Authority/ State Biodiversity Boards/ Union territory Biodiversity Councils or aggrieved party within a period of sixty days from the date on which the copy of the order was received.

27) Factors to be Considered while Determining Quantum of Penalty

For determining the quantum of penalty, the Adjudicating Officer shall have due regard to the following factors, namely: -

- (1) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of contravention of the provisions of the Act;
- (2) the penalty for contravention of the provisions referred to in section 55 of the Act shall not be less than one lakh rupees and may extend to fifty lakh rupees;

(3) In case the damage caused, exceeds the amount of penalty under sub-rule (2) then the penalty shall be commensurate with the damage caused;

The word damage includes damage to the environment and value of the biological resource used and value of the products derived from it by violating the provisions of the Act.

(4) In case of a failure or continued contravention, an additional penalty not exceeding one crore rupees may be imposed over and above the penalty under sub-rule (2) or (3);

(5) Any other factors as may be considered by the Adjudicating Officer to be relevant for the conservation of biological diversity and protection of the environment:

Provided that no such penalty shall be imposed without giving the person or entity concerned a reasonable opportunity of being heard in the matter following the principles of natural justice.

(6) The penalty /additional penalty as imposed by the Adjudicating Officer under this Act shall be in addition to the liability to pay relief or compensation under section 55 of the Act read with section 17 of the National Green Tribunal Act, 2010.

(7) For matters mentioned under sub-rule (6), the penalty imposed by the Adjudicating Officer shall be in addition to, and not in substitution of such penalty or compensation.

(28) Deposition of the penalty amount. -

All the amounts of penalties so collected under sub-rule (17) of rule 25 for the offences relating to sections 3, 4 and 6 of the Act shall be deposited in the National Biodiversity Fund and all the amounts of penalties relating to offences under section 7 of the Act shall be deposited in the Biodiversity Fund of the State Biodiversity Board or the Union territory Biodiversity Council concerned, as the case may be.

SCHEDULE**Application Forms and Fees**

S.n o	Form	Purpose	Application Fee
(1)	(2)	(3)	(4)
1	Form-1 {Section 3 of the Act and Rule 13(1)}	Application for seeking prior approval of the National Biodiversity Authority for access to biological resources and/or knowledge associated thereto for research or for bio-survey and bio-utilization by persons covered under section 3(2) of the Act.	
		For Individual	₹ 10,000.00
		For entity	₹ 20,000.00
2	Form-2 {Section 3 of the Act and rule 13(1) }	Application for seeking prior approval of the National Biodiversity Authority for access to biological resources and/or knowledge associated thereto for commercial utilization by persons covered under section 3(2) of the Act	
		For Individual	₹ 10,000.00
		For entity	₹ 20,000.00
3	Form-3 {Section 4 of the Act and rule 15(1)(a)}	Application for seeking prior approval of the National Biodiversity Authority for sharing or transferring the results of research to section 3(2) persons for commercial purposes or otherwise.	
		For Individual	₹ 5,000.00
		For entity	₹ 10,000.00
4	Form-4 {Section 4 of the Act and rule 15(1)(b)}	Application for prior registration with the National Biodiversity Authority to use the results of research for further research by the transferee (section 3(2) person)	
		For Individual	₹ 2,000.00
		For entity	₹ 5,000.00
5	Form-5 {Section 4 of the Act and rule 15(1)(c)}	Application for seeking prior approval of the National Biodiversity Authority to use the results of research for commercial utilisation by the transferee (section 3(2) person)	
		For Individual	₹ 10,000.00
		For entity	₹ 20,000.00
6	Form-6 {Section 4 of the Act and rule 15(1)(d)}	Application for seeking prior approval to use the results of research for obtaining intellectual property rights by the transferee (section 3(2) person)	
		For Individual	₹ 5,000.00

		For entity	₹ 10,000.00
7	Form-7 {Section 6(1) of the Act and rule 16(1)(a)}	Application for seeking prior approval of the National Biodiversity Authority before grant of intellectual property rights by persons covered under section 3 (2) of the Act	
		For Individual	₹ 5,000.00
		For entity	₹ 10,000.00
8	Form-8 {Section 6(1A) of the Act and rule 16(2)(a)}	Application for registration with the National Biodiversity Authority before grant of intellectual property rights by persons covered under section 7 of the Act.	
		For Individual	₹ 2,000.00
		For entity	₹5,000.00
9	Form-9 {Section 6 (1B) of the Act and rule 16(3)(a)}	Application for seeking prior approval of the National Biodiversity Authority for commercialisation of intellectual property rights by persons covered under section 7 of the Act.	
		For Individual	₹ 5,000.00
		For entity	₹ 10,000.00
10	Form-10 {Section 36A of the Act and rule 18(1)}	Form for declaration of the use of biological resource(s) and/or associated traditional knowledge obtained from any foreign country, in India.	Nil
11	Form – 11A {Section 7 of the Act and rule 19(1)}	Application cum format for obtaining certificate of origin for cultivated medicinal plants	₹ 200.00
12	Form-11B {Section 7 of the Act and rule 19(4)}	Format of book containing details of cultivated medicinal plants to be maintained by the Biodiversity Management Committee	Nil
13	Form-12 {Rule 20(1)}	Application for seeking prior approval of the National Biodiversity Authority for sending /carrying the biological resources outside India by Indian researchers / institutions for conducting non-commercial research or research for emergency purposes.	₹ 1,000.00
14	Form-13 {Section 50 of the Act and rule 23(1)}	Form of Memorandum of Appeal before the Central Government for settlement of disputes	Nil
15	Form-14	Format of notice to be issued by the Ministry of Environment, Forest and Climate Change or	Nil

	{Section 50 of the Act and Rule 23(4)}	National Biodiversity Authority for appearance before it	
16	Form-15 {section 61 (b) of the Act and rule 24(2)}	Format of notice by any person/benefit claimer	Nil
17	Form -16 {section 7 of the Act and rule 21(5)}	Application for seeking prior approval of the National Biodiversity Authority for export of items or biological resources that are not listed as Normally Traded as Commodities (non-NTAC) by persons covered under section 7 of the Act for commercial utilization	₹ 5,000.00
18	Form -17 {section 3(2) and Rule 21(5)}	Application for seeking prior approval of the National Biodiversity Authority for export of items or biological resources that are not listed as Normally Traded as Commodities (non-NTAC) by persons covered under section 3(2) of the Act registered in India for commercial utilization	₹10,000.00

Note:

- a) The prescribed fees payable under these rules may be paid through electronic transfer to the National Biodiversity Fund, State Biodiversity Fund, Union territory Biodiversity Fund or the Local Biodiversity Fund, as the case may be.
- b) Wherever a fee is payable, the payment details shall be mentioned in the application.
- c) Fees once paid shall not be refunded under any circumstances.

FORM -1**{See section 3 of the Act and rule 13(1)}**

Application for seeking prior approval of the National Biodiversity Authority for access to biological resources and/or knowledge associated thereto for research or for bio-survey and bio-utilization by persons covered under section 3(2) of the Act.

1	Particulars of the applicant	
(i)	Category of the applicant(s)	(Drop down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name(s) of the applicant(s)	
(iii)	Status of the applicant	(Drop down menu) a) NRI b) Non-Indian c) Entity covered under section 3(2) of the Act.
(iv)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(v)	Profile of the individual/entity	
(vi)	Nature of the business (applicable if the applicant is an entity)	
(vii)	Details of the authorized representative for the applicant (applicable if the applicant is an entity) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(viii)	Contact person of the applicant in India (If any) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	

(2)	Details of the biological resources and knowledge associated thereto intended to be accessed	
(i)	Details of the biological resource(s)	<p>(Drop down menu)</p> <p>(i) Nature of the biological resource(s) (plants/animals/microbes/genetic material/variety/hybrid)</p> <p>(ii) Common name</p> <p>(iii) Scientific name (Genus and species/ variety/strain)</p> <p>(iv) Plant parts (Seed, stem, bark, leaf, flower, fruit, root, rhizome, genetic material, extract, exudate, etc.)</p> <p>(v) Quantity of each biological resource (in Kg/gm/ml)</p> <p>(vi) Duration of access (expected start and end date)</p> <p>(vii) Frequency of access (number of times the biological resource(s) will be accessed)</p> <p>(viii) Source of access (wild/cultivated/ institution/repository/traders/ market)</p> <p>(ix) Geographical location (village, taluk, district, state). If procured from a trader(s)/institute(s), their name(s), address(es) and contact details to be provided; if procured from repository/institution, then origin of collection to be provided.</p>
(ii)	Details about the knowledge associated thereto:	
(a)	Nature of the knowledge associated (Oral/ documented)	
(b)	Details of traditional knowledge intended to be accessed (in not more than 100 words)	
(c)	Name of the traditional knowledge holder (individual(s)/community)	

(d)	Address(es) of the traditional knowledge holder(s) (individual(s)/community)	
(3)	Expected duration of research	
(4)	The purpose for which access is required including the type and extent of research being derived and expected to be derived from it	
(i)	Brief description about the research	
(ii)	Expected outcome of the research	
(5)	Details of any institution which will participate in the research and development activities	
(i)	Name of the person or institute	
(ii)	Contact details (<i>Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number</i>)	
(6)	Preferred mode of benefit sharing	(i) Monetary (ii) Non-monetary (iii) Both
(7)	Estimation of benefits that would flow to India/communities arising out of the use of accessed biological resources and knowledge associated thereto	
(8)	Any other information considered relevant	
(9)	Details of remittance of application fee (<i>mode of payment, transaction ID, amount, date, etc.</i>)	
<p style="text-align: center;">Declaration</p> <p>I/We declare that:</p> <ol style="list-style-type: none"> 1. Collection of the proposed biological resource(s) shall not adversely affect the sustainability of the resources; 2. Collection of the proposed biological resource(s) shall not entail any environmental impact; 3. Collection of the proposed biological resource(s) shall not pose any risk to the ecosystems; and 		

4. Collection of the proposed biological resource(s) and knowledge associated thereto shall not adversely affect the local communities.

I/We further declare that the information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false. I/We shall be responsible for any incorrect or wrong information provided.

Place

Signature

Date

Name

FORM-2**{See section 3 of the Act and rule 13(1)}**

Application for seeking prior approval of the National Biodiversity Authority for access to biological resources and/or knowledge associated thereto for commercial utilization by persons covered under section 3(2) of the Act

1	Particulars of the applicant	
(i)	Category of the applicant(s)	(Drop-down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name of the applicant(s)	
(iii)	Status of the applicant	(Drop down menu) a) NRI b) Non-Indian c) Entity covered under section 3(2) of the Act
(iv)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(v)	Profile of the individual/entity	
(vi)	Nature of the business (applicable if the applicant is an entity)	
(vii)	Details of the authorised representative for the applicant <i>(applicable if the applicant is an entity)</i> <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(viii)	Contact person of the applicant in India (If any) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(2)	Details of the biological resources and knowledge associated thereto intended to be accessed	
(i)	Details of biological resource(s)	(Drop down menu)

		<p>(i) Nature of the biological resource(s) (plants/animals/microbes/genetic material/variety/hybrid)</p> <p>(ii) Common name</p> <p>(iii) Scientific name (Genus and species/ variety/strain)</p> <p>(iv) Plant parts (Seed, stem, bark, leaf, flower, fruit, root, rhizome, genetic material, <u>extract</u>, exudate, etc.)</p> <p>(v) Quantity of each biological resource (in Kg/gm/ml)</p> <p>(vi) Duration of access (expected start and end date)</p> <p>(vii) Source of access (wild/cultivated/ institution/repository/traders / market)</p> <p>(viii) Geographical location (village, taluk, district, state). If procured from a trader(s)/institute(s), their name(s), address(es) and contact details to be provided; if procured from repository/institution, then origin of collection to be provided.</p>
(ii)	Details about the knowledge associated thereto:	
(a)	Nature of the knowledge associated (Oral/ documented)	
(b)	Details of traditional knowledge intended to be accessed (in not more than 100 words)	

(c)	Name of the traditional knowledge holder(s) (individual(s)/community)	
(d)	Address(es) of the traditional knowledge holder (individual(s)/community)	
(3)	The purpose for which access is required including the type and extent of commercial utilisation being derived and expected to be derived from it	
(i)	Brief description about the commercial utilization	
(ii)	Expected duration of commercial utilization	
(4)	Details of the approval obtained from the Authority for the purpose of research or for bio-survey and bio-utilization	
(i)	NBA application number	
(ii)	Date of approval	
(iii)	Upload copy of the approval granted (in the form of agreement) by the National Biodiversity Authority	
(5)	Preferred mode of benefit sharing	(i) Monetary (ii) Non-monetary (iii) Both
(6)	Estimation of benefits that would flow to India/ communities arising out of the use of accessed biological resources and knowledge associated thereto	
(7)	Any other information considered relevant	
(8)	Details of remittance of application fee (Mode of payment, transaction ID, amount, date, etc.)	
<p style="text-align: center;">Declaration</p> <p>I/We declare that:</p> <ol style="list-style-type: none"> 1. Collection of the proposed biological resource(s) shall not adversely affect the sustainability of the resources; 2. Collection of the proposed biological resource(s) shall not entail any environmental impact; 3. Collection of the proposed biological resource(s) shall not pose any risk to the ecosystems; and 4. Collection of the proposed biological resource(s) and knowledge associated thereto shall not adversely affect the local communities. 		

I/We further declare that the information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false. I/We shall be responsible for any incorrect or wrong information provided.

Place

Date

Signature

Name

FORM-3**{See section 4 of the Act and rule 15(1)(a)}**

Application for seeking prior approval of the National Biodiversity Authority for sharing or transferring the results of research to section 3(2) persons for commercial purposes or otherwise

(1)	Particulars of the applicant	
(i)	Category of the applicant	(Drop-down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name of the applicant(s)	
(iii)	Status of the applicant	(Drop down menu) a) Indian b) NRI c) Non-Indian d) Entity covered under section 3(2) of the Act e) Entity covered under section 7 of the Act
(iv)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(v)	Profile of the individual/entity	
(vi)	Nature of the business (applicable if the applicant is an entity)	
(vii)	Details of the authorised representative for the applicant <i>(applicable if the applicant is an entity)</i> <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(viii)	Contact person of the applicant in India (If any) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	

(2)	Details of the results of research	
(i)	Details of the results of research conducted	
(ii)	Details and nature of results of research to be transferred or shared	
(3)	Details of the biological resources used in the research	<p>(Drop down menu)</p> <p>(i) Nature of the biological resource(s) (<i>plants/animals/microbes/genetic material/variety/hybrid</i>)</p> <p>(ii) Common name</p> <p>(iii) Scientific name (Genus and species/ variety/strain)</p> <p>(iv) Plant parts (Seed, stem, bark, leaf, flower, fruit, root, rhizome, genetic material, extract, exudate, etc.)</p> <p>(v) Source of access (wild/cultivated/institution/repository/traders/ market)</p> <p>(vi) Geographical location (village, taluk, district, state). If procured from a trader(s)/institute(s), their name(s), address(es) and contact details to be provided; if procured from repository/ institution, then origin of collection to be provided.</p>
(4)	Details of the traditional knowledge associated thereto if any used in the research	
(i)	Details of traditional knowledge accessed (in not more than 100 words)	
(ii)	Name(s) of the traditional knowledge holder(s) (individual(s)/community)	
(iii)	Address(es) of the traditional knowledge holder(s) (individual(s)/ community)	

(iv)	Consent obtained from the community/individual, if any	
(5)	Details of the approval obtained from the Authority for undertaking research by section 3(2) persons	
(i)	NBA application number	
(ii)	Date of approval	
(iii)	Upload copy of the approval granted (in the form of agreement) by the National Biodiversity Authority	
(6)	Details of the institution where research and development activities were carried out	
(i)	Provide the name and contact details of the institution/entity where research and development activities were carried out	
(ii)	Name of the institution	
(iii)	Contact details (<i>Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number</i>)	
(iv)	<i>Attach a copy of the letter issued to the applicant by the competent authority of the institution/ entity where research and development activities were carried out.</i>	
(7)	Details of the individual/entity to whom the research results are intended to be transferred or shared.	
(i)	Name(s) and contact details of individual(s)/ entity(ies)	
(ii)	Details of the intended use of research results by the transferee	
(8)	Details of economic, scientific or any other benefits that are intended, or may accrue to the applicant seeking approval for share or transfer of results of research.	
(9)	Details of any memorandum of understanding or agreement executed between the proposed recipient and the	

	applicant seeking approval for share or transfer of results of research (Copy of Memorandum of Understanding /agreement, if any, to be uploaded.)	
(10)	Any other information considered relevant	
(11)	Details of remittance of application fee <i>(Mode of payment, transaction ID, amount, date, etc.)</i>	
<p style="text-align: center;">Declaration</p> <p>I/We declare that:</p> <p>a) I/We inform the transferee to register with the Authority if he/she intends to use the results of research for further research as per the extant provisions of the Act.</p> <p>b) I/We inform the transferee to seek prior approval of the Authority if he/she intends to use the results of research for commercial utilization or for obtaining intellectual property rights as per the extant provisions of the Act.</p> <p>c) The information provided in the application is true and correct to the best of my/our knowledge and belief that it conceals nothing and that no part of it is false. I/We shall be responsible for any incorrect or wrong information provided.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div> Place Date </div> <div> Signature Name </div> </div>		

FORM-4
{See section 4 of the Act and rule 15(1)(b)}

Application for registration with the National Biodiversity Authority to use the results of research for further research by the transferee

(1)	Particulars of the applicant (transferee)	
(i)	Category of the applicant	(Drop down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name(s) of the applicant(s)	
(iii)	Status of the applicant	(Drop down menu) a) NRI b) Non-Indian c) Entity covered under section 3(2) of the Act
(iv)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(v)	Profile of the individual/entity	
(vi)	Nature of the business (applicable if the applicant is an entity)	
(vii)	Turnover of the organization in Indian rupees (applicable if the applicant is an entity)	
(viii)	Details of the authorised representative for the applicant (applicable if the applicant is an entity) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(ix)	Contact person of the applicant in India (If any) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	

(2)	Details of the approval obtained from the Authority by the transferor or person from whom results of research are obtained under sections 4 and 20 of the Act	
(i)	Name of the person/entity/institution	
(ii)	Postal address including PIN code, email, mobile and alternate mobile numbers and/or landline number	
(iii)	NBA Application number	
(iv)	Date of approval	
(v)	Upload copy of the approval granted (in the form of agreement) by the National Biodiversity Authority	
(3)	Brief description about the research activities to be carried out by the applicant	
(4)	Details of any person(s)/institute(s) that are to be involved in the research	
(i)	Name of the person or institute	
(ii)	Contact details (Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)	
(5)	Expected duration of research	
(6)	Expected outcome of research	
(7)	Benefits that would flow to India/communities arising out of the proposed research on the use of obtained results of research	
(8)	Any other information considered relevant	
(9)	Details of remittance of application fee (Mode of payment, transaction ID, amount, date, etc.)	
<p style="text-align: center;">Declaration</p> <p>a) I/We further declare that the information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false.</p>		

- b) I/We shall be responsible for any incorrect or wrong information provided.
- c) I/We shall declare the progress made in the research activities to the Authority at the end of every calendar year.
- d) I/We shall obtain prior approval of the Authority at the time of commercial utilization of the obtained results of research or for obtaining intellectual property rights within or outside India as per section 4 and 6 of the Act respectively.

Place
Date

Signature.
Name

FORM-5
{See section 4 of the Act and rule 15(1)(c)}

Application for seeking prior approval of the National Biodiversity Authority to use the results of research for commercial utilisation by the transferee.

(1)	Particulars of applicant (Transferee)	
(i)	Category of the applicant	(Drop down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name(s) of the applicant(s)	
(iii)	Status of the applicant	(Drop down menu) a) NRI b) Non-Indian c) Entity covered under section 3(2) of the Act
(iv)	Address(s) of the applicant(s) (Postal address(es) including PIN code, email, mobile, alternate mobile number and/or landline number)	
(v)	Profile of the individual/entity	
(vi)	Nature of the business (applicable if the applicant is an entity)	
(vii)	Turnover of the organization in Indian rupees (applicable if the applicant is an entity)	
(viii)	Authorized representative (applicable if the applicant is an entity) (Postal address including PIN code, email, mobile, alternate mobile number and/or landline number)	
(ix)	Contact person in India (If any) (Postal address including PIN code, email, mobile, alternate mobile number and/or landline number)	
(2)	Details of the approval obtained from the Authority by the transferor or person from whom results of research are obtained under section 4 and 20 of the Act	

(i)	Name of the person/entity/institution	
(ii)	Postal address(es) including PIN code	
(iii)	E-mail ID, mobile, alternate mobile number and/or landline number	
(iv)	NBA Application number	
(v)	Date of approval	
(vi)	Upload copy of the approval granted (in the form of agreement) by the National Biodiversity Authority	
(3)	Brief description about the commercial activity to be carried out by the applicant	
(4)	Expected duration of the commercial utilization	
(5)	Expected outcome and benefits that would flow to India/ communities arising out of the commercial utilisation of the obtained results of research	
(6)	Any other information considered relevant	
(7)	Details of remittance of application fee <i>(Mode of payment, transaction ID, amount, date, etc.)</i>	
<p style="text-align: center;">Declaration</p> <p>a) I/We further declare that the information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false.</p> <p>b) I/We shall be responsible for any incorrect or wrong information provided.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div> Place Date </div> <div> Signature. Name </div> </div>		

FORM-6**{See section 4 of the Act and rule 15(1)(d)}**

Application for seeking prior approval of the National Biodiversity Authority to use the results of research for obtaining intellectual property rights by the transferee.

(1)	Particulars of applicant (Transferee)	
(i)	Category of the applicant (s)	(Drop down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name(s) of the applicant(s)	
(iii)	Status of the applicant	(Drop down menu) a) NRI b) Non-Indian c) Entity covered under section 3(2) of the Act
(iv)	Address(es) of the applicant(s) (Postal address(es) including PIN code, email, mobile, alternate mobile number and/or landline number)	
(v)	Profile of the individual/entity	
(vi)	Nature of business (applicable if the applicant is an entity)	
(vii)	Turnover of the organization in Indian rupees (applicable if the applicant is an entity)	
(viii)	Authorized representative (applicable if the applicant is an entity) (Postal address including PIN code, email, mobile, alternate mobile number and/or landline number)	
(ix)	Details of the patent attorney/contact person (Postal address including PIN code, e-mail, mobile, alternate mobile and/or landline number)	
(2)	Details of the transferor from whom the results of the research are obtained	

(i)	Name of the person/entity/institution	
(ii)	Postal address(es) including PIN code	
(iii)	E-mail ID, mobile, alternate mobile number and/or landline number	
(3)	Details of the approval obtained from the National Biodiversity Authority by the transferor or person from whom results of research are obtained under section 4 of the Act	
(i)	NBA Application number	
(ii)	Date of approval	
(iii)	Upload copy of the approval granted (in the form of agreement) by the National Biodiversity Authority	
(4)	Details of the invention	
(i)	Title of invention	
(ii)	Abstract/details of the invention	
(iii)	Details of the patent office(s) where the applicant intends to file patent application(s) for the said invention	
(iv)	Whether any intellectual property rights application has been filed in or outside India for the present invention as on date	
(5)	Details of remittance of application fee (Mode of payment, transaction ID, amount, date, etc.)	
(6)	Any other information considered relevant	
<p style="text-align: center;">Declaration</p> <p>a) I/We further declare that the information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false.</p> <p>b) I/We shall be responsible for any incorrect or wrong information provided.</p> <p>Place Date</p> <p style="text-align: right;">Signature. Name</p>		

FORM-7**{See section 6(1) of the Act and rule 16(1)(a)}****Application for seeking prior approval of the National Biodiversity Authority before grant of intellectual property rights by persons covered under section 3 (2) of the Act.**

(1)	Particulars of the applicant	
(i)	Category of the applicant(s)	(Drop-down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name(s) of the applicant(s) (as in the patent application)	
(iii)	Status of the applicant	(Drop down menu) a) NRI b) Non-Indian c) Entity covered under section 3(2) of the Act
(iv)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(v)	Profile of the individual/entity	
(vi)	Nature of the business (applicable if the applicant is an entity)	
(vii)	Details of the authorised representative for the applicant (applicable if the applicant is an entity) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(viii)	Details of the patent attorney/contact person (if applicable) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	

(2)	Details of the approval obtained from the National Biodiversity Authority for research under section 3 of the Act						
(i)	NBA application number						
(ii)	Date of approval						
(iii)	Upload copy of the approval granted (in the form of agreement) by the National Biodiversity Authority						
(3)	Details of any other organization involved in the research and development activities						
(4)	Details of the invention						
(i)	Title of the Invention						
(ii)	Field of Invention		Drop down <i>(Agro-chemical, biotechnology, chemical, food, pharmaceutical, textile, bio-chemistry, polymer technology, microbiology, bio-medical engineering, agriculture engineering, traditional knowledge biotechnology, traditional knowledge chemical or any other relevant field)</i>				
(iii)	Abstract/details of the invention (in not more than 150 words)						
(iii)	Details of the patent office(s) where the applicant intends to file patent application(s) for the said invention		[Names of the countries to be placed in the drop down menu]				
(iv)	Whether any patent application has been filed in or outside India for the present invention as on date		Yes/ No				
(vi)	If answer to (v) is 'Yes', details to be provided:						
	Sl No	Name of the country [Drop down menu]	Patent office in which application has been filed [Drop down menu]	Date of filing of the patent application	Patent application number	Status of the application as on date (Filed/published/ under examination)	If granted, patent number and date of grant

					/under hearing/ granted) [Drop down menu]	
(5)	Details of the biological resource(s) accessed/ claimed in the invention				a) Nature of the accessed biological resource(s) (Plant/animal/microorganism/ fungi/algae and others) [Drop down] b) Common name c) Scientific name (Genus and species/ variety/strain) d) Plant parts (whole plant, seed, stem, bark, leaf, flower, fruit, root, rhizome, etc.) [drop down] e) Source of access (Market/trader/ wild/self-cultivated/repository/others to be specified) [drop down] f) Geographical location (village, taluk, district, state). If procured from trader/institute, entity's names, addresses and contact details to be provided. If procured from repository/ institution, then origin of collection is to be provided.	
(6)	Details of any traditional knowledge associated thereto accessed					
(i)	Details of traditional knowledge associated thereto accessed (<i>in not more than 100 words</i>)					
(ii)	Name of the holder(s) of the traditional knowledge associated thereto (<i>individual(s) / community</i>)					
(iii)	Address(es) of the traditional knowledge holder(s) (<i>individual(s)/community</i>)					

(iv)	Traditional knowledge associated thereto obtained from any other source	
(6)	Any other information considered relevant	
(7)	Details of remittance of application fee <i>(Mode of payment, transaction ID, amount, date, etc.)</i>	
<p style="text-align: center;">Declaration</p> <p>I/We declare that:</p> <p>(a) The information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false.</p> <p>(b) I/We shall be responsible for any incorrect or wrong information provided.</p> <p>(c) Prior approval of the National Biodiversity Authority is mandatory under rule 16 for access to biological resources and knowledge associated thereto while commercializing the patent granted.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div> <p>Place Date</p> </div> <div> <p>Signature Name</p> </div> </div>		

Form-8**{See section 6(1A) of the Act and rule 16 (2)(a)}****Application for registration with the National Biodiversity Authority before grant of intellectual property rights by persons covered under section 7 of the Act**

(1)	Particulars of the applicant(s)	
(i)	Category of the applicant(s)	(Drop down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name(s) of the applicant(s) (as in patent application)	
(iii)	Status of the applicant	(Drop down menu) a) Indian b) Entity covered under section 7 of the Act
(iv)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(v)	Profile of the individual/entity	
(vi)	Nature of the business <i>(applicable if the applicant is an entity)</i>	
vii)	Details of the authorised representative for the applicant (applicable if the applicant is an entity) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(viii)	Details of the patent attorney/contact person <i>(if applicable)</i> <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(2)	Details of the invention	

(i)	Title of the invention																			
(ii)	Field of invention		Drop down (Agro-chemical, biotechnology, chemical, food, pharmaceutical, textile, biochemistry, polymer technology, microbiology, biomedical engineering, agriculture engineering, traditional knowledge biotechnology, traditional knowledge chemical or any other relevant field)																	
(iii)	Abstract/details of the invention (not more than 150 words)																			
(iv)	Details of the patent office(s) where the applicant intends to file patent application(s) for the said invention		[Names of the countries to be placed in the drop down menu]																	
(v)	Whether any patent application has been filed in or outside India for the present invention as on date																			
(vi)	If answer to (v) is 'Yes', details to be provided: <table border="1" data-bbox="288 1137 1385 1503"> <thead> <tr> <th>Sl. No.</th> <th>Name of the country [Drop down menu]</th> <th>Patent office in which application has been filed [Drop down menu]</th> <th>Date of filing of the patent application</th> <th>Patent application number</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						Sl. No.	Name of the country [Drop down menu]	Patent office in which application has been filed [Drop down menu]	Date of filing of the patent application	Patent application number									
Sl. No.	Name of the country [Drop down menu]	Patent office in which application has been filed [Drop down menu]	Date of filing of the patent application	Patent application number																
3)	Details of the biological resource(s) accessed/claimed in the invention		a) Nature of the accessed biological resource(s) (Plant/animal/microorganism/fungi/algae/others) [Drop down] b) Common name c) Scientific name (Genus and species/variety/strain)																	

		<p>d) Plant parts (whole plant, seed, stem, bark, leaf, flower, fruit, root, rhizome, etc.)</p> <p>e) Source of access (Market/trader/wild/ self-cultivated/repository/others)</p> <p>f) Geographical location (village, taluk, district, state). If procured from trader/institute, entity's name, address, and contact details to be provided. If procured from repository/institution, then origin of collection is to be provided.</p>
(4)	Details of traditional knowledge accessed, if any	
(i)	Details of traditional knowledge accessed (in not more than 100 words)	
(ii)	Name of the traditional knowledge holder(s) (individual(s)/community)	
(iii)	Address(es) of the traditional knowledge holder(s) (individual(s)/community)	
(iv)	Traditional knowledge associated thereto obtained from any other source	
(5)	Details of any organization involved in the research and development activities	
(6)	Any other information considered relevant	
(7)	Details of remittance of application fee (mode of payment, transaction ID, amount, date, etc.)	
<p style="text-align: center;">Declaration</p> <p>I/We declare that:</p> <p>a) The information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false.</p>		

- b) I/We shall be responsible for any incorrect or wrong information provided.
- c) I/We shall obtain prior approval of the Authority at the time of commercialization of the patent as per section 6(1B) of the Act and rule 16(3)(a) of the Rules.

Place
Date

Signature
Name

FORM-9**{See section 6(1B) of the Act and rule 16(3)(a)}**

Application for seeking prior approval of the National Biodiversity Authority (post registration) for commercialisation of intellectual property rights by persons covered under section 7 of the Act

(1)	Particulars of the applicant	
(i)	Category of the applicant(s)	(Drop down menu) a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
(ii)	Name(s) of the applicant(s) (as in patent application)	
(iii)	Status of the applicant	(Drop down menu) a) Indian b) Entity covered under section 7 of the Act
(iv)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(v)	Profile of the individual/entity	
(vi)	Nature of business (applicable if the applicant is an entity)	
(vii)	Details of the authorised representative for the applicant (applicable if the applicant is an entity) <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(viii)	Details of the patent attorney/contact person (if applicable)	

	(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)	
(2)	Details of the registration made with the National Biodiversity Authority before grant of intellectual property rights	
(i)	NBA registration number	
(ii)	Title of the invention	
(iii)	Details of the patent office/countries in which patents have been granted as on date (Copy of patent certificate issued by the patent office to be uploaded)	[List of countries to be in Drop down]
(iv)	Upload copy of the latest Form-27 submitted with the Indian patent office, if any	
(iv)	Whether details of biological resources furnished in the registration and list of biological resources furnished in this application is one and the same or different?	Yes / No.
		<p>If no, furnish the details of biological resources given below:</p> <p>a) Nature of the accessed biological resource(s) (Plant/animal/microorganism/fungi/algae/others) [Drop down]</p> <p>b) Common name</p> <p>c) Scientific name (Genus and species/variety/strain)</p> <p>d) Plant parts (whole plant, seed, stem, bark, leaf, flower, fruit, root, rhizome, etc.)</p> <p>e) Source of access (Market/trader/wild/ self-cultivated/repository/others)</p>

		<p>f) Geographical location (village, taluk, district, state). If procured from trader/institute, entity's name, address, and contact details to be provided. If procured from repository/institution, then origin of collection is to be provided.</p>
(3)	Details of commercialisation	
(i)	<p>Details of each country where the invention is sought to be commercialized</p>	<p>(i) Name of the country(ies) (Drop-down)</p> <p>(ii) Patent number</p> <p>(iii) Mode of commercialization (Licensing/assignment/self-manufacture/transfer of particular patent rights alone/any other mode)</p> <p>(iv) Details of each licensee/assignee/transferee/ any other person (Names with Postal addresses including PIN code, email, mobile and alternate mobile numbers and/or landline number)</p> <p>(v) Period of commercialization (in years)</p> <p>(vi) Amount of revenue generated, if any / likely to be generated</p>
(4)	Any other information considered relevant	
(5)	<p>Details of remittance of application fee</p> <p>(Mode of payment, transaction ID, amount, date, etc.)</p>	

Declaration

I/We declare that:

- a) The information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false.
- b) I/We shall be responsible for any incorrect or wrong information provided.
- c) Prior intimation to the concerned State Biodiversity Board or Union territory Biodiversity Council shall be provided for accessing the biological resource and/or traditional knowledge associated thereto for commercial utilization as per section 7 of the Act.

Place:

Date:

Signature:

Name:

FORM-10**{See section 36A of the Act and rule 18(1)}****Form for declaration of the use of biological resource(s) and/or associated traditional knowledge obtained from any foreign country, in India**

S.no	Particulars	
1)	Name of the person or entity	
2)	Category of the applicant(s)	a) Individual(s) b) Individual(s) and Entity/ies c) Entity/ies
3)	Status of the applicant	(Drop down menu) a) Indian b) NRI c) Non-Indian d) Entity covered under section 3(2) of the Act e) Entity covered under section 7 of the Act
4)	Complete address <i>Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
5)	Details of biological resource(s) used	
i)	Scientific and common name(s) of the biological resource(s)	
ii)	Country from where biological resource(s) was/were accessed	
iii)	Whether the country from which the biological resource(s) were accessed is a Party to Nagoya Protocol	Yes/No (Please tick whichever is applicable)
6)	Whether approval of the Competent National Authority of the country of origin of biological resource has been obtained	Yes/No [drop down- list of country]
i)	Details of the ABS-CH Unique Identifier of internationally recognized certificate of compliance (if available).	
ii)	If the internationally recognized certificate of compliance is not available, the following information may be provided	
	a) Source of the biological resource(s)	
	b) Purpose of the utilization of the biological resource(s)	(i) Research (ii) Commercial utilization (iii) Obtaining intellectual property rights

		(iv) Others
iii)	Details of patent applications filed, if any	

Declaration

I/we hereby declare that I/we have complied with the provisions of prior informed consent and mutually agreed terms of the country from where the biological resources have been obtained.

I/ we hereby declare and solemnly affirm that the information provided above is true and correct to the best of my knowledge.

Place:

Date:

Signature of the Applicant

FORM-11A**{See section 7 of the Act and rule 19(1)}****Application cum format for obtaining certificate origin for cultivated medicinal plants***(to be issued by the Biodiversity Management Committee)*

Unique Identity Number <i>(Alpha numeric to be assigned by the BMC)</i> CODE: State/District/Mandal/Taluk/Town/Village/BMC/Year/Company Name/numerical Number

S.no	Particulars	:	To be filled by the applicant
1)	Name of the Biodiversity Management Committee	: (Village or Town / District / State / UT)
2)	Name of the applicant	:	
3)	Complete Address <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	:	
4)	Name(s) of the species and varieties to be accessed	:	a) Common name b) Scientific name (Genus and species/variety/strain, (if known) c) Parts
5)	Name of the cultivator / farmer	:	
6)	Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number	:	
7)	Geo-coordinates of the cultivated area	:	(If known)
8)	Survey number of the land	:	
9)	Extent of area under cultivation of the medicinal plants (in acres)	:	
10)	Approximate quantity of cultivated medicinal plants for which certificates is required	:	(in kg / quintal / tonne/bale) -dry weight or -wet weight
11)	Purpose of access	:	

12)	Period of access	:	{from(Month) to.....(Month)}
13)	Price of the medicinal plants (<i>per- kg /quintal</i> <i>/ tonne/bale</i>)	:	

I/we hereby declare and solemnly affirm that the information provided above is true and correct to the best of my knowledge.

Place
Date

Signature
Name

CERTIFICATE

This is to certify that the request made by a company/trader/individual/entity has been carefully examined and the medicinal plants have been physically verified in the field. The information given in the application form has been verified from the concerned books [page no... sl.no.... date....] maintained by the Biodiversity Management Committee.

It is certified that the above mentioned medicinal plants are from the cultivated source and meet the criteria prescribed under section 7 of the Biological Diversity (Amendment) Act, 2023 read with rule 19 of the Rules.

This certificate is valid **up to two years** from the date of issue.

Date:

(Name)

Place:

Signature of the authorized person of the BMC

Seal

FORM-11B**{See section 7 of the Act and rule 19(4)}**

Format of book containing details of cultivated medicinal plants to be maintained by the Biodiversity Management Committee

..... **Biodiversity Management Committee**, **Panchayat/ Urban Local Body**

(Specify whether area is covered under The Panchayats Extension to Scheduled Areas (PESA) Act, 1996, wherever applicable)

Name of the BMC- Village or Town, Block, District, State/Union

S. No	Full details of farmers/ individuals/ entities including postal address(es), mobile, e-mail, etc.	Geographical location of the area where cultivation is being done including name of area extent, geo co-ordinates, period of cultivation, etc.	Details of cultivated medicinal plants including common and botanical names, period of cultivation, average yield per hectare.	Approx., volume/ Quantity available before issue of certificate [1.wet weight or 2. dry weight]
1	2	3	4	5

Quantity/volume for which present certificate is being issued. [1.wet weight or 2. dry weight]	Quantity/volume remaining after issue of the present certificate <i>(including the extent of area remains to be harvested)</i>	Details of the receiver(s) including complete contact details, purpose of collection	Unique identity number of certificate issued with date	Signed by the Secretary/CEO of the BMC and countersigned by the chairperson/ president of urban local body or member of the BMC
6	7	8	9	10

FORM-12

{See rule 20(1)}

Application for seeking prior approval of the National Biodiversity Authority for sending/carrying the biological resources outside India by Indian researchers/ institutions for conducting non-commercial research or research for emergency purposes

(1)	Particulars of applicant	
(i)	Category of the applicant(s)	<i>(Drop down menu)</i> a) Individual researcher b) Institution
(ii)	Name of the applicant and designation	
(iii)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(iv)	Name of the institution	
(2)	Details of the institution in India	
(i)	Name of the institution	
(ii)	Address of the institution <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and/or landline number)</i>	
(3)	Name of the supervisor or head of institution at the place of work, in India	
(i)	Name of the supervisor or head of institution with complete address	
(ii)	Designation of the supervisor or head of institution	
(4)	Details of the supervisor or head of the institution or organisation who guides the proposed research or recipient of the biological resources outside India	
(i)	Category (individual or institution/organization or person receiving the biological resources)	

(ii)	Name of the supervisor or head of the institution or recipient outside India	
(iii)	Complete address for communication	
(5)	Name and details of the funding agency supporting the research, if any	
(6)	Details of research that are proposed to be carried out	
(i)	Brief description of the research	
(ii)	Role and involvement of foreign researcher/institution in the research, if any	
(iii)	Benefits that would accrue to India and to the researcher through this research	
(7)	Details of biological resources proposed to be carried along or sent for the research	
(i)	a. Common name b. Scientific name c. Nature of biological resource d. Plant parts (<i>seed, stem, bark, leaf, flower, fruit, root, rhizome, genetic material, extract, exudate, etc.</i>) e. Quantity (<i>in number/vial/kg</i>) f. Geographical location (village, taluk, district, state). <ul style="list-style-type: none"> ➤ If procured from trader/institute, trader name, address and contact details to be provided. ➤ If procured from repository/ institution, then origin of collection is to be provided. 	
(ii)	Expected duration of research to be conducted outside India	
8)	If it is for emergency purpose, please specify the details	
<p style="text-align: center;">Declaration</p> <p>I, son/daughter/wife/husband of _____ aged ____ residing at <u>(full address)</u> in holding a permanent ID Number(Aadhaar card/passport ,etc.)hereby declare that all the information provided above is correct and true.</p> <p>I hereby affirm that the biological resource(s)shall be used only for the purposes as stated in the application.</p> <p>I shall not share/provide/part with/ leave behind any biological resource at my collaborator's facility/ laboratory without the approval of the National Biodiversity Authority.</p>		

I, along with my supervisor and collaborator, individually and severally declare that we shall not put to commercial utilisation, nor shall seek any intellectual property rights claim based on the biological resources and traditional knowledge associated thereto used in this research.

In case such a situation arises, we shall apply to the National Biodiversity Authority to seek prior approval. Results, process(es), products, or other outcomes arising out of this activity shall be shared with the National Biodiversity Authority during and/or upon completion of research intended along with copies of the relevant documents and publications.

Signature:

.....

...

Date:.....

Place:

Declaration by the Supervisor/Head of Institution

I, working as in(Name of institution) confirm that the details provided by Mr/ Dr/ Mrs/ Ms. Are true and correct.

Date:.....

Place:.....

Signature:.....

Designation:.....

OfficialSeal:.....

Declaration by the Recipient/Collaborator

I, _____ working as _____ in _____ (Name of institution/ Organisation) hereby affirm that I or my institution/organisation shall use the biological resources that were sent by (Name of the institution) or being brought by Mr./Dr./Mrs./Ms for the purposes as stated in the application and the said biological resources shall be destroyed in full after the completion of the studies or upon completion of the studies the biological resources shall be sent back to the institution from where the biological resources were received as the case may be, or as decided by the National Biodiversity Authority. I, or the institution I am associated with, shall not claim any ownership under instant application nor shall claim any intellectual property rights over the biological resources, derivatives or other such components without prior approval of the applicant, institution affiliated and the National Biodiversity Authority.

Signature:.....

....

Designation:.....

..

Official Seal

FORM-13***(See section 50 of the Act and rule- 23(1))*****Form of Memorandum of Appeal**BEFORE THE _____ MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE, NEW DELHI

OR

NATIONAL BIODIVERSITY AUTHORITY (as the case may be)

(Memorandum of appeal under section 50 of the Biological Diversity (Amendment) Act,
2023.)

Appeal No. _____ of 20

Appellant (s)

Vs.

Respondent(s) *(here mention the name and details of the
Authority/Board/Council, as the case may be)*The appellant wishes to prefer this memorandum of appeal against the order dated _____
passed by the respondent on the following facts and grounds:**1. FACTS:**

(Here briefly mention the facts of the case):

2. GROUND:

(Here mention the grounds on which the appeal is being made) :

- i.)
- ii.)
- iii.)

3. RELIEF SOUGHT:

- i)

- ii)
- iii)

4. PRAYER:

a) In the light of information given above, the appellant respectfully prays that the order/ decision of the respondent be quashed/set-aside.

b) The policy/guidelines/regulations framed by the respondent be quashed/modified/annulled to the extent _____

Signature of the appellant
with seal
Address:

Place: _____

Dated: _____

VERIFICATION

I , the appellant do hereby declare that the information above is true to the best of my knowledge and belief .

Verified on ____ day of _____.

Signature of the appellant

With Seal

Address

Signature of the Authorised representative of the appellant

Enclosures: 1. Upload an authenticated copy of the order/direction/policy decision against which the appeal has been preferred.

FORM - 14
{See section 50 of the Act and rule 23 (4)}
FORMAT OF NOTICE FOR APPEARING FOR HEARING

BEFORE THE _____ MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE, NEW DELHI

OR

National Biodiversity Authority (as the case may be)

Appeal No. _____ of 20

Between :

_____ Appellant(s)

Vs.

_____ Respondents(s)

NOTICE

Please take notice that the above appeal filed by the appellant, against the order/direction/policy decision (give details) is fixed for hearing on _____ at _____

The copies of the appeal memorandum and other annexures filed along with the appeal are attached herewith for your reference.

Please note that if you fail to appear on said date (or other subsequent date as fixed) of hearing of the appeal, the appeal would be disposed of finally as *ex-parte*.

Authorised signatory on behalf of the Appellate Authority (Seal)

Date:

Place :

FORM- 15

{See section 61(b) of the Act and rule 24(19)}
FORMAT OF NOTICE BY ANY PERSON/BENEFIT CLAIMER

By registered post with acknowledgement due

From
Shri

To,

Sub: NOTICE UNDER SECTION 61(b) OF THE BIOLOGICAL DIVERSITY ACT, 2002.

Whereas an offence under the Biological Diversity Act, 2002 has been committed/is being committed by.....

2. I/We hereby give notice of 30 days under section 61(b) of the Biological Diversity Act, 2002 of my/our intention to file a complaint in the court against for violation of the provisions of the Act.

3. In support of my/our notice, I am/we are enclosing herewith the following documents as evidence of proof:

- 1.
- 2.
- 3.....

Place: _____

Dated: _____

Signature

EXPLANATION:

(1) In case the notice has to be given in the name of a company, documentary evidence authorising the person to sign the notice on behalf of the company shall be enclosed with the notice.

(2) Name and address of the alleged offender needs to be given. In case of use of biological resource/traditional knowledge/doing research/bio-survey and bio-utilisation/obtaining intellectual property right/patent without the approval of the Authority, the details thereof and the commercial utilisation, if any, that has occurred, may be furnished.

(3) Documentary evidence shall include photograph(s), technical report(s), etc., for enabling enquiry into the alleged violation/offence.

FORM -16**{See section 7 of the Act and rule 21(5)}**

Application for seeking prior approval of the National Biodiversity Authority for export of items or biological resources that are not listed as Normally Traded as Commodities (non-NTAC) by persons covered under section 7 of the Act for commercial utilization

1	Particulars of the applicant [entity(ies)]	
(i)	Name(s) of the applicant(s)	
(ii)	Status of the applicant	Please upload affidavit claiming that the entity falls under section 7 of the Act
(iii)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and or landline number)</i>	
(iv)	Profile of the entity	
(v)	Nature of the business	
(vi)	Details of the authorized representative for the applicant <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and or landline number)</i>	
(2)	Details of the biological resources intended to be exported	
(i)	Quantity to be exported	Kgs/ Quintals / Tonnes
(ii)	Form in which the biological resources will be exported	Seed / powder / liquid / chips / log / others
(3)	Details of importer (s) and name of the country	Name and contact details of the importers
(4)	Preferred mode of benefit sharing	(iv) Monetary (v) Non-monetary (vi) Both
(5)	Any other information considered relevant	
(6)	Details of remittance of application fee <i>(mode of payment, transaction ID, amount, date, etc.)</i>	

Declaration

I/We further declare that the information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false. I/We shall be responsible for any incorrect or wrong information provided.

Place
Date

Signature
Name

FORM -17**[See section 3(2) and Rule 21(5)]**

Application for seeking prior approval of the National Biodiversity Authority for export of items or biological resources that are not listed as Normally Traded as Commodities (non-NTAC) by persons covered under section 3(2) of the Act registered in India for commercial utilization

1	Particulars of the applicant	
(i)	Name(s) of the applicant(s)	
(ii)	Status of the applicant	Please upload affidavit claiming that the entity falls under section 3(2) of the Act and registration in India
(iii)	Address(es) of the applicant(s) <i>(Postal address(es) including PIN code, email, mobile and alternate mobile numbers and or landline number)</i>	
(iv)	Profile of the entity	
(v)	Nature of the business	
(vi)	Details of the authorized representative for the applicant <i>(Name(s) with postal address(es) including PIN code, email, mobile and alternate mobile numbers and or landline number)</i>	
(2)	Details of the biological resources intended to be exported	
(i)	Details of the biological resource(s) to intended to be exported	
(ii)	Quantity to be exported	KGs / Quintals / Tonnes
(iii)	Form in which the biological resources will be exported	Seed / powder / liquid / chips / log / others
(3)	Details of importer (s) and name of the country	Name and contact details of the importers
(4)	Preferred mode of benefit sharing	(vii) Monetary (viii) Non-monetary (ix) Both

(5)	Any other information considered relevant	
(6)	Details of remittance of application fee <i>(mode of payment, transaction ID, amount, date, etc.)</i>	
<p style="text-align: center;">Declaration</p> <p>I/We further declare that the information provided in the application form is true and correct to the best of my/our knowledge and belief and that it conceals nothing and that no part of it is false. I/We shall be responsible for any incorrect or wrong information provided.</p> <div style="display: flex; justify-content: space-between;"> <div> Place Date </div> <div> Signature Name </div> </div>		
