



सत्यमेव जयते



## PROCEEDINGS

### 73<sup>rd</sup> AUTHORITY MEETING

21<sup>st</sup> -22<sup>nd</sup> March, 2025

#### Venue

Basmati Hall, NASC Complex, ICAR

New Delhi

**NATIONAL BIODIVERSITY AUTHORITY**  
Chennai

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**Proceedings Of The 73<sup>rd</sup> Authority Meeting Of The National Biodiversity Authority held on 21-22 March 2025 at Basmati Hall, NASC Complex, ICAR, New Delhi**

The 73<sup>rd</sup> Authority of the National Biodiversity Authority (NBA) was held on 21-22 March 2025 at Basmati Hall, NASC Complex, ICAR, New Delhi under the Chairmanship of Shri. C. Achalender Reddy, IFS (Retd.) Chairman, National Biodiversity Authority. The list of participants is given in the **Annexure-I**.

2. At the outset, Dr. B. Balaji, Member Secretary, NBA welcomed the Chairman, the Members of the authority who joined in person and online.
3. The Chairman, in his remarks, welcomed all the members and mentioned that this meeting has heavy agenda as some of the past authority meetings were emergency meetings to consider and submit the draft amended rules and regulations.
4. The Member Secretary made a detailed presentation on the agenda items which are as follows:

<b>73.01: Confirmation of the Proceedings of the 69<sup>th</sup>, 70<sup>th</sup>, 71<sup>st</sup> and 72<sup>nd</sup> Authority meetings</b>
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The Member Secretary informed the members that the draft Proceedings of the 69<sup>th</sup> meeting of the National Biodiversity Authority (NBA) held on 28.03.2024 at Ambedkar International Centre, Janpath, New Delhi), New Delhi were circulated to the members *via e-mail dated 30.04.2024 to seek* their comments. The comments received from the members were incorporated accordingly and the proceedings were approved by the Chairperson, NBA. The members unanimously confirmed the Proceedings of the 69<sup>th</sup> Authority meeting.

2. Further, he mentioned that the 70<sup>th</sup> Authority meeting (Special Meeting) was held on 29.07.2024 in New Delhi. In this regard, the draft Proceedings of the meeting were circulated to the members of the draft Biological Diversity Rules 2024 on 30.07. 2024 and the draft proceedings of the rest of the agenda on 27.08. 2024 for seeking their comments. The comments received from the members were incorporated suitably and the proceedings were approved by the Chairperson, NBA. The members confirmed the Proceedings of the 70<sup>th</sup> Authority meeting.

3. The Member Secretary apprised the members that the 71<sup>st</sup> Authority meeting (Emergency meeting) was held on 26.12.2024 in online mode, and the Proceedings with respect to the draft ABS Regulations were approved. The Proceedings of the remaining agenda items were circulated to the members on 02.01.2025. No comments were received, and the proceedings were approved by the Chairperson, NBA. The members confirmed the Proceedings of the 71<sup>st</sup> Authority meeting.

4. He mentioned that the 72<sup>nd</sup> Authority meeting (Emergency meeting) was held on 18.02.2025 in hybrid mode and the Proceedings with respect to the amendments to the notified Biological Diversity Rules 2024 and revised draft ABS Regulations was approved. The Proceedings of the remaining agenda items were circulated to the members on 07.03.2025. The members confirmed the Proceedings of the 72<sup>nd</sup> Authority meeting.

**Decision:** The Proceedings of the 69<sup>th</sup>, 70<sup>th</sup>, 71<sup>st</sup> and 72<sup>nd</sup> Authority Meetings were confirmed.

#### **73.02: Action Taken Report of the 69<sup>th</sup> Authority Meeting**

The Member Secretary explained the actions taken based on the decisions of the 69<sup>th</sup> Authority Meeting. The members deliberated on Agenda item no 69.09 where the Secretariat vide letter dated 10.09.2024 has requested the University of Trans-Disciplinary Health Sciences and Technology to submit a proposal in line with the Guidelines for Designated Repositories. He mentioned that NBA sent a proforma to FRLHT for which response is awaited from them. Further action will be taken as and when FRLHT completes the proforma and sends it to NBA.

2. The members further deliberated on Agenda item no. 69.25 with regard to the BIOMIS portal. In this regard, the Member Secretary apprised the members that NBA is in the process of purchasing the cloud infrastructure for hosting of the BIOMIS application. The members enquired if the ePBR is also being converted to different languages. To this, the Member Secretary explained that the BMCs can upload their data in the local language in the BIOMIS portal and the different languages are already inbuilt in the software.

**Decision:** The actions taken by the NBA on decisions taken in the 69<sup>th</sup> Authority meeting were noted by the members



**73.03: Action Taken Report of the 70<sup>th</sup> Authority Meeting**

The Member Secretary explained the actions taken based on the decisions of the 70th Authority Meeting. He informed the members that the draft Biological Diversity (BD) Rules, 2024 as approved by the 70th Authority was forwarded to the MoEFCC on 31.07.2024 for taking further course of action. The MoEFCC vide Gazette notification no. GSR.665(E) dated 22.10.2024 notified the Biological Diversity Rules, 2004 which came into force on 21.12.2024. Secondly, he apprised the members that the approved Annual Report 2023-24 along with the Audit Report from C&AG was submitted to the MoEFCC for tabling it before both the houses of the parliament which was done on 11.11.2024.

2. Further, the members were apprised on Agenda item no 70.04 that after receiving the necessary the approvals from MoEFCC, the NBA assisted the National Focal Point (NFP) to the CBD to upload India's National Biodiversity Targets in the online reporting tool (ORT) of the CBD on 10.09.2024. He also added that the India released its Updated National Biodiversity Strategy and Action Plan [NBSAP, 2024-2030] during the High-Level Segment at COP 16 to the Convention on Biological Diversity (CBD), held in Cali, Colombia on 30<sup>th</sup> October, 2024.

**Decision:** The actions taken by the NBA on decisions taken in the 70<sup>th</sup> Authority meeting were noted by the members

**73.04: Action Taken Report of the 71<sup>st</sup> Authority Meeting**

The Member Secretary informed the members that the NBA forwarded the Draft ABS Regulations, 2025 approved by the Authority to the MoEFCC on 26.12.2024 for taking further course of action. Secondly, he mentioned that according to the decision of 71.02, the NBA has sought approval from the MoEFCC for the draft MoU to be signed by NBA and NALSAR proposed CEBPOL – Phase II project.

2. He also apprised the members that NBA has given Public Notice in the NBA website with regard to considering the use of old application Forms and Fee till the new forms are made available in the public domain as NIC was completing the security audit of the new forms added in the ABS portal in place of old forms. However, he also informed



that the revised version of the ABS Forms has been made available for the use of the public from 3<sup>rd</sup> February, 2025.

**Decision:** The actions taken by the NBA on decisions taken in the 71<sup>st</sup> Authority meeting were noted by the members.

**73.05: Action Taken Report of the 72<sup>nd</sup> Authority Meeting**

The Member Secretary apprised the members that NBA had forwarded the draft Biological Diversity (Amendment) Rules, 2025 and the Draft ABS Regulations, 2025 which it received from the MoEFCC for considering changes after it was initially submitted to the MoEFCC back to the MoEFCC on 21.02.2025 after it is duly approved by the authority for taking further course of action. Further, he informed the members that an explanatory note has been prepared in the context of the Agenda item 72.03 and has been circulated to all the members. He also added that this is now dealt comprehensively in Agenda item no. 73.18.

**Decision:** The actions taken by the NBA on decisions taken in the 72<sup>nd</sup> Authority meeting were noted by the members.

**73.06: To Consider the Decision on ABS Applications dealt by the Secretariat and Certificate of Registration (CoR) issued to the applicant so far by NBA as per the provisions under the Biological Diversity (Amendment) Act, 2023.**

The Secretary, NBA apprised the members that based on the recommendations of the EC constituted for streamlining the approval process by NBA, the Authority in its 54<sup>th</sup> and 55<sup>th</sup> meeting vide agenda no. 54.20.03 considered and endorsed the recommendations of the EC that NBA Secretariat may process the applications based on the set precedence. Accordingly, an office order dated 19<sup>th</sup> March 2020 was issued by NBA for processing ABS applications in NBA without referring to EC on ABS. However, in case of any contravention/ difficulty, such cases only to be placed before in the EC on ABS for examination. Accordingly, the NBA Secretariat has taken action as given below between February, 2024 and February 2025:





SI No	Status	Form I	Form II	Form III	Form IV	Total
1	Draft Agreement forwarded to the applicant for execution	59	02	643	02	706
	Feb 2024 – Feb 2025	33	1	205	0	239
	Before Feb 2024	26	1	438	2	467
2	Agreement signed (Including old applications)	67	03	564	01	635
	Feb 2024 – Feb 2025	20	0	140	0	160
	Before Feb 2024	47	3	424	1	475
3	Closed	15	09*	77	04*	105
	Feb 2024 – Feb 2025	5	7	38	4	54
	Before Feb 2024	10	2	39	0	51

Further, the Member Secretary also apprised the members that NBA has issued 616 Certificates of Registration (CoR) to applicants for Form III applications based on the Biological Diversity (Amendment) Act, 2023,

**Decision:** The applications processed, agreements executed and the Certificates of Registrations issued by the NBA Secretariat were ratified by the Authority.

**Action:** Member Secretary, NBA

**73.07: Seeking guidance to deal with applications which are in contravention of provisions of the Biological Diversity Act, 2002**

The members were informed that applications which are in contravention to the provisions of the Biological Diversity Act, 2002 were placed before the 68<sup>th</sup> and 69<sup>th</sup> Authority meeting vide agenda item nos. 68.13 and 69.05, respectively for consideration. The Authority decided that *the applications which have contravened the section 3, 4 and 6 of the Biological Diversity Act 2002 shall be kept in abeyance till the Biological Diversity (Amendment) Act, 2023 and amended rules come in to force and inform the same to the applicants.* It was also reported that 46 and 51 applications of Form I and Form III, respectively, were kept in abeyance as per the decision made in the 68<sup>th</sup> and 69<sup>th</sup> Authority meetings and it was also informed to the applicants.

2. In addition to 97 applications, he also stated that the NBA has identified 42 new applications that have contravened Sections 3, 4 and 6 of the BD Act. Out of 42 said applications,

- 14 Form – I applications which are already accessed the biological resources and or knowledge associated for undertaking research / commercial utilisation, IPR without obtaining prior approval of NBA as required under Section 3, Section 4 and Section 6 of the BD Act.
- 28 Form III applications which have already accessed the biological resources and conducted research, which culminated into a patent, without obtaining the prior approval of NBA as required, thereby contravening the provisions of Sections 3 and 6 of the Act.

4. The authority was informed that any person or entity covered under sub-section (2) of section 3 or section 7 contravenes or attempts to contravene or abets the contravention of the provisions of section 3 or section 4 or section 6 or section 7 shall be referred to the adjudicating officer for imposing penalty as deemed fit in accordance with the provisions of section 55 of the Act read with Rule 23 of the Biological Diversity Rules, 2024.

5. The members were informed that that MoEFCC, vide its order dated 10.01.2025, appointed an Adjudicating Officer under section 55A (1) of the BD Act, 2002. Accordingly, *Joint Secretary or Scientist 'G', in charge of the Biodiversity Division of the Ministry of Environment, Forest and Climate Change, Government of India, for the complaints filed by the National Biodiversity Authority, shall be an Adjudicating Officer for NBA. Further, Rule 23 of the BD Rules, 2024 (Manner of inquiry by the Adjudicating Officer) prescribes the procedures to be followed for adjudication of such cases by the Adjudicating Officer.*

6. The member Secretary informed that apart from 40 applications placed before this Authority, there were 242 applications currently kept in abeyance which includes 102 applications filed under the Office Memorandum issued by the MoEFCC for dealing with the contravention. In this connection, NBA sought guidance from the learned Additional Solicitor General through a Letter dated 11.02.2025 on queries related to contravention applications under the office Memorandums issued by MoEFCC and applications kept in abeyance for the enforcement of the Biological Diversity (Amendment) Act 2023 to be



dealt with by the National Biodiversity Authority (NBA). The Learned Additional Solicitor General of India, Shri A.R. L. Sundaresan, gave his opinion on 17 February 2025.

7. The Member Secretary briefed the opinion offered by the Ld. ASG which includes:

- *There is no repeal or saving provision in the amendment Act.*
- *The judgments of the Hon'ble Supreme Court with regard to the effect of repeal and as to the law that is to be applied with regard to causes of action that have arisen prior to the repeal are concerned it proceeds on the basis that what has happened before the repeal will have to be dealt with under the old Act or the un-amended Act and what happens after the amendment will have to be dealt with under the provisions of the amended Act. However, if the intention of the Parliament in bringing out the amendment can be deciphered by analyzing the two provisions, and if the two provisions are so inconsistent that they cannot stand side by side, of course, the old one standing for the old cases and the new one standing for the subsequent cases, then the interpretation has to be that even with regard to the old cases, the new law as amended will apply.*
- *Applying the said principle of interpretation if we see Sec. 55 as it originally stood and Sec. 55 as it is amended, the intention of the Parliament is clear. Instead of imprisonment and fine, it is substituted with penalty and instead of prosecution before the Court, it is substituted with adjudication by an Adjudicating Officer appointed by the Central Government with a right of appeal before the National Green Tribunal.*
- *As such there is a clear inconsistency between the original Sec. 55 and the amended Sec. 55 read with Sect. 55(A) of the Biological Diversity Act.*
- *Ld ASG was of the opinion that the amended Act can be given retrospective effect and even old violation cases can be dealt with under Sec. 55 and Sec. 55(A) as amended by the 2023 Act and the Adjudicating Officer appointed under Sec. 55(A) can deal with such cases and impose penalties.*

8. The Member Secretary informed that the NBA Secretariat may be guided to deal with the contravention cases that were identified in the past that fall under the BD Act 2002 and cases identified under the Amended BD Act.

9. Members discussed the issue and stated that there is a large number of applications to be referred to the Adjudicating Officer and sought clarification on the reasons for keeping the OM cases in abeyance. It was informed that the NBA cleared the



OM cases, but the applicants neither executed the agreement nor responded to the communication sent by the NBA. Further, these applications have been kept in abeyance as per the decision taken by the Authority only.

10. One of the members representing MoEFCC opined that the opinion of the Ministry of Law and Justice may also to be obtained. The Chairman, NBA responded that the opinion offered by the Learned Additional Solicitor General of India clearly provides the direction. It will also further boost the ease of doing business. As there is no repeal or saving clause in the amended act, in his opinion the ASG's guidance can very well be adhered. Further, as it had already been communicated to the MoEFCC, it is upto MoEFCC to take appropriate decision.

**Decision:**

- (a) The Authority decided that the NBA may wait for the response of the MoEFCC on the opinion offered by Learned Additional Solicitor General of India to deal with the contravention cases that were identified in the past that fall under the erstwhile BD Act 2002.
- (b) The Authority also decided that applications filed after the Biological Diversity (Amendment) Act, 2023, came into force and identified cases that have contravened the provisions of the BD Act 2002 as amended in 2023 shall be referred to the Adjudicating Officer by the NBA as per Section 55 of the Act, read with Rule 23 of the BD Rules, 2024.

**Action: Member Secretary, NBA**

**73.08: Seeking guidance for releasing the Access and benefit sharing amount received from M/s. Advanced Enzyme Technologies Limited on utilization of biological resources to the benefit claimer in Maharashtra**

The Member Secretary apprised the members that an applicant, M/s. Advanced Enzyme Technologies Limited, had submitted Form-I application [Appl.# 2983] on 09.05.2018 under the amnesty scheme provided by the MoEFCC, to regularize the past



access of biological resources (*Bacillus coagulans* and *Saccharomyces boulardii*). The soil samples were collected from Dapur Village, Sinnar, Nashik District, Maharashtra and Gonde Village, Igatpuri, Nashik District, Maharashtra for isolation of *Bacillus coagulans* and *Saccharomyces boulardii* respectively.

2. The applicant has developed and commercialized 27 products (probiotic supplements) by utilizing the isolated bacterial strain *Bacillus coagulans*, and paid an amount of INR 71,25,641/- (Rupees Seventy-One Lakh Twenty-Five Thousand Six Hundred Forty-One only) as benefit sharing component (for the period from 2004-2022).
3. In order to disburse the benefit sharing component, the Member Secretary explained that NBA had identified benefit claimer(s) based on geographical location (Village/Taluk/District) furnished in the application from where the biological resources were collected. Accordingly, the benefit claimer in the instant case is Dapur Village, Sinnar, Nashik District, Maharashtra, as soil samples were collected from these villages.
4. He mentioned that in order to ascertain correct information/details regarding the existence of BMC in Dapur Village, NBA vide letter dated 03-07-2024 requested Dr. Gouri Joshi, Non-Official Member, NBA to undertake a visit to BMC in Dapur Village in coordination with the Maharashtra State Biodiversity Board and submit a report to NBA on the functioning of the BMC with photographic evidence.
5. In this regard, Dr. Gouri Joshi vide email dated 05-08-2024 submitted the report and stated that the Dapur Gram Panchayat has a Biodiversity Management Committee constituted as per resolution number 48/2 dated 29-08-2022. The BMC has an active bank account number (LBF account no. 0644104000098342), approved PBR and records of statutory meetings conducted.
6. Further, Dr. Gouri Joshi concluded that the Dapur BMC is functional with an active LBF account and the BMC have undertaken activities for plantation and wildlife protection. Therefore, the ABS amount can be transferred to the BMC through the Maharashtra State Biodiversity Board.
7. However, it is pertinent to mention that the benefit-sharing component shall be distributed to the benefit claimers through the concerned SBB(s) from where the biological



resources were accessed, for undertaking activities such as conservation, promotion of livelihood of the local people, sustainable use of the biological resources, socio-economic activities, etc.as per the decision of 46<sup>th</sup> Authority (vide agenda no. 46.05).

8. The members deliberated on the activities that can considered by the BMCs to utilize the benefit sharing amount. In this regard, the members suggested that after retaining the 12% ( 6% to NBA + 6% to SBB) as administrative charges, the remaining 88% of the benefit sharing amount may be transferred to the BMC. Chairman, NBA suggested that some part of the amount may be kept as fixed deposit and the interest accrued may be given as cash reward to all the houses in the village. The rest of the amount may be used for the socio economic development of the village. The members deliberated extensively and opined that firstly a meeting should be held with the BMC and SBB to discuss on how the benefit sharing amount will be utilized by the BMC. In this regard, the members suggested that Dr. Gouri Joshi may act as coordinator in this case to further guide NBA, SBB and BMC.

9. The members deliberated that, the money may be transferred to the BMC after the BMC has decided the method and modalities on how the benefit sharing amount will be used.

**Decision:** (a) The members decided that 12% of Rs 71,25,641/- (6% to NBA + 6% to SBB) as administrative charges shall be retained and the remaining benefit sharing amount shall be transferred to the BMC in Dapur village.

(b) Dr Gouri Joshi, Non official member will be the coordinator in between BMC in Dapur village and NBA and SBB in this case and will advise the BMC on how to utilize the amount.

(c) The benefit sharing amount will be transferred to the BMC after the activities for utilizing this amount is agreed upon.

**Action: Member-Secretary, NBA**



**73.09: To consider the proceedings of the 70<sup>th</sup> meeting of the Expert Committee on Access and Benefit Sharing held on 4th and 5th December 2024**

The Member Secretary informed the members that the two sub committees of the Expert Committee (EC) on Access and Benefit Sharing (ABS) were constituted to examine the existing ABS agreements. He mentioned that the sub- committee has revised the draft agreements (Forms 1,2,3,5,6,9, and 10). Further he mentioned that a total of 19 ABS applications were placed before the EC on ABS and the recommendations have been given. The members deliberated on the issues of the applications and agreed to the recommendations of the EC on ABS.

2. The Chairman, NBA informed the members that NBA had received a communication from the DGFT with regard to export of Agarwood seedlings. This issue was placed before the EC on ABS for discussion and guidance to NBA. The members of the EC on ABS deliberated comprehensively and arrived at a conclusion that the Indian's can export and the Importer has to give an undertaking that as and when the importer plans to use it for research, IPR and commercialisation, he may have to approach NBA for approval. The EC also brought out the minutes of the meeting which was circulated to members of the Authority. However, he mentioned that the same issue has been placed before two other expert committees viz. EC on BD Rules and EC on Red Sanders. The minutes of these meetings are yet to be finalised. In this regard, Chairman, NBA mentioned that this issue may be deferred to the next authority meeting as it can be deliberated extensively after receiving the minutes of the other two meetings. The members also agreed to the proposal of the Chairman, NBA and deferred the consideration of the minutes on the export of Agarwood seedlings.

**Decision:** (a) The Members approved the Minutes of the 70<sup>th</sup> meeting of the EC on ABS.

(b) The members endorsed the recommendations of the EC on ABS on the draft agreements of Forms 1,2,3,5,6,9, and 10 as well as other agenda taken up by the EC on ABS.

(c) The members deferred the decision on the minutes on the export of Agarwood seedlings to the next Authority meeting.

**Action: Member-Secretary, NBA**





**73.10: To consider the proposal to designate the Referral Centre 'Bhavasagara' of CMLRE as a National repository under section 39 of the BD (Amendment) Act, 2023.**

The members were informed that the MoEFCC in consultation with NBA has designated 18 National Institutions and other Organizations as repositories from time to time to keep safe custody of specimens of the biological resources accessed under the BD Act.

2 In this regard, the Member Secretary mentioned that the Director, Centre for Marine Living Resources and Ecology (CMLRE), Ministry of Earth Sciences, Kochi submitted a proposal to NBA for declaring the Referral Centre 'Bhavasagara' of CMLRE, Kochi as a designated National Repository for Deep sea fauna and also provided the justification on fulfilment of each criterion given in the Guidelines issued by NBA for designation of repository

3 The Member Secretary explained that the CMLRE has informed that the Referral Centre of CMLRE would act as a National Repository for deep-sea vertebrates and invertebrates which includes specialised group of organisms such as cnidarians, annelids, molluscs, arthropods, echinoderms, elasmobranchs and teleostean fish. Further, he mentioned that the CMLRE owns and operates country's only Fishery Oceanographic Research Vessel (FORV) Sagar Sampada capable of operating up to a depth of 1500m. It has the largest collection of mesopelagic organism in the country. This facility currently holds more than 3500 voucher specimens and tens to thousands of non-voucher deep sea faunal specimens which are not available in any of the current national repositories. In this regard, the Member Secretary opined that if designated, it will help in ensuring comprehensive exploration, expert curation, as well as advanced research, thereby supporting conservation efforts and enhancing public engagement with deep-sea science.

4. The members considered and agreed that the proposal of CMLRE to designate the Referral Centre 'Bhavasagara' CMLRE, Kochi as a Repository under section 39 of



the Act to keep in safe custody of voucher specimens belongs to deep-sea vertebrates and invertebrates including group of organisms such as cnidarians, annelids, molluscs, arthropods, echinoderms, elasmobranchs and teleostean fish can be accepted.

**Decision:** (a) The Authority members approved the proposal of CMLRE to designate the Referral Centre 'Bhavasagara' CMLRE, Kochi as a Repository under section 39 of the Act to keep in safe custody of voucher specimens belongs to deep-sea vertebrates and invertebrates including group of organisms such as cnidarians, annelids, molluscs, arthropods, echinoderms, elasmobranchs and teleostean fish can be accepted.

(b) The NBA shall forward the proposal of CMLRE to the MoEFCC for consideration and to notify the designation of these repositories under Section 39 of the Biological Diversity (Amendment) Act, 2023

**Action: Member-Secretary, NBA**

**73.11: To consider the proposal of the Agharkar Research Institute to designate their culture collections as a repository under Section 39 of the Biological Diversity (Amendment) Act, 2023**

The Member Secretary apprised the members that the MoEFCC in consultation with NBA has designated 18 National Institutions and other Organizations as repositories from time to time to keep safe custody of specimens of the biological resources accessed under the BD Act.

2. In this regard, he mentioned that NBA received a proposal from the Agharkar Research Institute (ARI) to designate their two repositories namely Macs Collection of Microorganism (MCM) and National Fungal Culture Collection (NFCC) as the repositories under the Act. Further, he informed that the Agharkar Research Institute have submitted the requisite information through the Department of Science and Technology and the justification on fulfilment of each criterion provided in the Guidelines issued by NBA for designation of repository.

3. The members deliberated on the number of repositories that have been already designated for microorganisms. The members gave general suggestion that the



repositories may be reviewed from time to time. After deliberations, the members agreed that the (i) MACS Collection of Microorganisms and (ii) National Fungal Culture of India of the Agharkar Research Institute can be considered as the repository under Section 39 of the Biological Diversity (Amendment) Act, 2023 to keep safe custody of specimens of anaerobic and extremophilic microorganism and indigenous fungi.

**Decision:** (a) The members approved the proposal of Agharkar Research Institute to designate (i) MACS Collection of Microorganisms and (ii) National Fungal Culture of India as the repository under Section 39 of the Biological Diversity (Amendment) Act, 2023 to keep safe custody of specimens of anaerobic and extremophilic microorganism and indigenous fungi.

(b) The NBA shall forward the proposal of Agharkar Research Institute to the MoEFCC for consideration and to notify the designation of these repositories under Section 39 of the Biological Diversity (Amendment) Act, 2023

**Action: Member-Secretary, NBA**

**73.12: To consider obtaining a "Disbursal Certificate" instead of "Utilisation Certificate and Statement of Expenditure" from the Andhra Pradesh Forest department on account of utilisation of the benefit sharing amount released by the NBA related to Red Sanders**

The Member Secretary, NBA informed the members that NBA had released Rs 34.55 crore in two instalments to the Andhra Pradesh Forest Department (APFD) (*viz*, INR 3.00 crore in the year 2017 and INR 31.55 crore in the year 2020) for the protection and conservation of Red Sanders as per the decision taken in the 40<sup>th</sup> (*Agenda no. 40.09*) & 55<sup>th</sup> Authority meeting (*Agenda no. 55.06*). He also informed that the first instalment of INR 3.00 crore was released to the APFD through the AP State Biodiversity Board (APSBB) whereas the other instalment was directly released to the Andhra Pradesh Forest Department.

2. He mentioned that APFD submitted the Utilization certificate (UC) to NBA on 07.10.2024 after issuance of reminders from time to time by the NBA. He also mentioned



that out of INR 31.44 crore released as a benefit sharing component to the APFD, the APFD has submitted that it has utilised INR 21.71 crore, and the remaining INR 12.84 crore is yet to be utilised, for which a request for revalidation has been made to this office.

3. The members were informed that NBA vide sanction order dated 02.07.2020 provides that expenditure of funds shall be governed by the existing rules and regulations of the Finance Department of the Government of Andhra Pradesh. The physical assets procured utilising the funds shall be owned by the Andhra Pradesh Forest Department.

4. It was also stated that a Utilization Certificate and Statement of Expenditure is applicable for amounts released from the "Grant-in-Aid" as per GFR 238, but not for the benefit-sharing amount, which is to be shared with the benefit claimers. In the absence of benefit claimers, the benefit sharing amount may be shared with the institutions concerned and also utilized for other related purposes as decided by the Authority.

5. Considering these, members were requested to consider and provide guidance on the following issues:

(a) Whether NBA have to insist on the submission of "**Utilization Certificate and Statement of Expenditure**" for the amount released to the departments/ organizations from the ABS fund?

(b) Whether NBA may obtain only "**disbursal certificate**" instead of "**Utilization Certificate and Statement of Expenditure**" from the concerned Department for utilisation of the ABS amount?

6. During the discussion, members sought clarification on whether the disbursal certificate is mentioned in the GFR or any other financial rules. The Account Officer, NBA, informed that there is no mention of the word "Disbursal Certificate" in the GFR. Since the benefit-sharing amount needs to be disbursed to the benefit claimers by the SBB, the term "Disbursal Certificate" has been proposed.

7. The Members also discussed about referring the issues to the IFD division, MOEFCC. The Chairman of the NBA informed that the ABS amount was released to the



APFD as per the recommendations of the Expert Committee on Red Sanders in its report, which was also approved by the 41<sup>st</sup> Authority meeting. He also added that the amount was released to the components prescribed in the proposal submitted by the APFD. He further stated that the amount was released from the benefit sharing amount but not from the Grant-in-Aid. After discussing the issues, Members opined that it is premature to refer the issue to IFD

8. Meanwhile, the Account Officer informed that the APFD had submitted a Utilisation Certificate for Rs 3.00 crore, without the endorsement of the AP State Biodiversity Board, as the amount was released to the APFD through the APSBB. The Member Secretary clarified to the members that in 2016, the APFD submitted the UC for Rs 3.00 Crore to the NBA, but it was not routed through the APSBB. Therefore, the NBA has forwarded the original UC submitted by APFD to the APSBB for endorsement. He also added that the Audit also insisted on obtaining the same. However, the APFD has submitted the UC for Rs 3.00 crore again to NBA in October 2024.

9. The Chairman, NBA, apprised the Members that, APSBB is an autonomous and statutory body as per the Act, the Forest Department is a separate Govt. entity; therefore, endorsing the UC of APFD by APSBB raises administrative issues. Taking the issue into account, the NBA released the second instalment directly to the APFD. The Chairman, NBA proposed that UC submitted by the APFD for Rs 3.00 crore in October 2024 may be accepted by the NBA and the remaining amount may be revalidated.

10. After detailed deliberation, Members decided that the UC submitted by the APFD for Rs 3.00 crore in October 2024 shall be accepted by the NBA, and the remaining amount may be revalidated as per APFD's request. However, the APSBB may be advised to return the original UC to the NBA.

11. Members also decided that the issues of SoE and obtaining disbursement certificates may be discussed in the subsequent meetings as it relates to financial matters that need further deliberation.



**Decision:**

- a). Members decided that the Utilization Certificate submitted by the APFD for Rs 3.00 crore in October 2024 to be accepted by the NBA, and the remaining unspent amount may be revalidated. However, the APSBB may be advised to return the original UC submitted by APFD to the NBA.
- b). Members also decided that submission of Statement of Expenditure and obtaining disbursal certificates may be discussed in the subsequent meeting as it relates to financial matters which need further discussion. It may take more time to come to a conclusion on this matter and therefore the present system of obtaining Utilization Certificate may be continued.

**Action: Member Secretary, NBA.**

**73.13: To consider Cloud Infrastructure requirement for hosting of BIOMIS portal**

The members were informed that the NBA in association with NIC Kerala and Chennai, developed a National Framework on e-PBR for the use of State Biodiversity. The NIC is currently testing the BIOMIS portal in 12 States on a pilot scale.

2. In this regard, he mentioned that this application requires huge virtual space for rolling out the software at the PAN India level. Considering this, there is a need for additional cloud infrastructure to NBA for hosting the BIOMIS application. Towards this, NBA requested National Information Centre Services Inc. (NICSI) to provide quotation for Open source and Linux platform.

2. The Member Secretary proposed that there is a need for procuring the required cloud infrastructure from National Information Centre Services Inc. (NICSI) for the implementation of the e-PBR project across the country. The members considered and agreed that there is a requirement of a cloud infrastructure to roll out a software at the Pan India level.



**Decision:** The Authority members approved the procurement of requisite cloud infrastructure from National Information Centre Services Inc. (NICSI) for NBA by paying the requisite amount for implementation of the e-PBR project across the country.

**Action: Member-Secretary, NBA**

**73.14: Seeking Approval for the Revised Guidelines on Other Effective Area-Based Conservation Measures (OECMs) in India- 2025.**

The Member Secretary informed the members that the National Biodiversity Authority (NBA) and the Ministry of Environment, Forest and Climate Change (MoEFCC) in collaboration with United Nations Development Programme (UNDP), has undertaken the revision of the guidelines for identifying, designating, and managing Other Effective Area-Based Conservation Measures (OECMs) in line with the Kunming-Montreal Global Biodiversity Framework (KMGBF) and India's commitment to achieving Target 3 (30x30). These guidelines aim to strengthen biodiversity conservation outside the conventional protected area network.

2. In this regard, the revised OECM guidelines prepared by a Working Group/Expert Committee, and through extensive consultations with key stakeholders, including government agencies, conservation experts, academia, and civil society organizations was presented to the members. During the presentation, it was mentioned that the draft-revised guidelines on OECMs provide a structured framework for the identification, notification, governance, management, monitoring and evaluation of OECMs in India.

**Key Highlights of the Revised Guidelines for OECMs (2025) include:**

- i. **Updated Criteria for OECM Designation:** The guidelines provide clearly defined eligibility criteria to ensure that areas contributing to biodiversity conservation are identified effectively.
- ii. **Strengthened Governance and Management Framework:** The document outlines a multi-stakeholder governance mechanism, defining the roles of central and state agencies, private entities, and community-led conservation efforts.





- iii. **Monitoring and Evaluation Mechanism:** A Management Effectiveness Evaluation (MEE) framework has been introduced to assess the effectiveness of designated OECMs.
- iv. **Integration with National and International Commitments:** The implementation of OECMs is aligned with national biodiversity targets and international commitments under the Convention on Biological Diversity (CBD).
- v. **Financial Mechanisms and Incentives:** The guidelines include provisions for funding support through existing government schemes, CSR initiatives, and private sector engagement.
- vi. **Capacity Building and Awareness Programs:** The document emphasizes stakeholder participation and community engagement to ensure the long-term sustainability of OECMs.

3. In view of the above, the members appreciated the efforts taken to draft the Revised Guidelines on OECMs. The members also opined that this guideline will enable the NBA and State Biodiversity Boards (SBBs)/Union Territory Biodiversity Councils (UTBCs) to operationalize the guidelines effectively and facilitate the recognition and management of OECMs across India. Chairman, NBA informed the members that a few private persons/entities have come forward to declare the following areas under their possession as OECMs viz. Dharmavanam Ark, My Farm Gardens LLP, TVS Group and Kanha Shanti Vanam,

4. The draft with the slight modifications done by the NBA Secretariat over the draft prepared by the Working Group was presented and the members agreed to the changes done by the NBA Secretariat. The members also suggested that a Disclaimer may be added in the Annexure 3 of the draft guidelines. The members phrased the Disclaimer which is as follows:

***DISCLAIMER- The above declaration of OECM shall not be treated/ understood/ interpreted as a protected area under any law related to Forest/ Wildlife/Biodiversity/ Environment for the time being in force.***

5. The Chairman, NBA apprised the members that there is urgency in submitting the guidelines to the Ministry for further necessary action. In this regard, the members

approved the draft guidelines and mentioned that the guidelines may be submitted directly to the Ministry and need not be circulated to all for further inputs.

**Decision:** (a) The Authority members approved the draft Revised Guidelines on Other Effective Area-Based Conservation Measures (OECMs) in India- 2025 and also decided that it shall be submitted to MoEFCC immediately for further necessary action without being circulated to the members.

(b) The members decided that a disclaimer "*The above declaration of OECM shall not be treated/ understood/ interpreted as a protected area under any law related to Forest/ Wildlife/Biodiversity/ Environment for the time being in force*" shall be added at the end of Annexure-3 in the Guidelines.

**Action: Member-Secretary, NBA**

**73.15: To consider the Guidelines for the Biodiversity Samrakshan Internship Programme (BSIP).**

The Member Secretary informed the members that the Biodiversity Samrakshan Internship Programme (BSIP) is a year-long Internship Programme conducted by the NBA. The programme started with 15 interns in 2020. Twenty interns were taken in the second cycle. The 61st Authority (Agenda item 61.10) meeting approved the increase of interns from 20 in the second cycle to 25 in the third cycle. The fourth cycle also had 25 interns. The 68th Authority (Agenda item 68.20) meeting approved the increase in the number of interns from 25 to 40. The 68th Authority also approved the extension of the internship by one additional year. With the increase in the number of interns and forecasted growth of the Internship Programme in future, the NBA has drafted guidelines for the BSIP to execute the programme in a more organized manner.

The Member Secretary further informed that the interns who were selected were par excellence and contributed immensely to State Biodiversity Boards (SBBs) and Union Territory Biodiversity Councils (UtBCs). In this regard, the members appreciated the BSIP program and agreed to the guidelines that have been drafted.

**Decision:** The Authority members approved the BSIP guidelines.

**Action: Member-Secretary, NBA**



**73.16: To consider the internship program of the VI<sup>th</sup> cycle and the extension of the Internship Period of BSIP-IV and V cycle**

The Member Secretary apprised the members that the 68th Authority had approved the extension of the internship of BSIP IV interns by one additional year.. Eight interns from the BSIP-IV are currently continuing the internship, whose internship period ends on December 31, 2024. The Member Secretary proposed to further extend the internship by one additional year, i.e., till January, 2026 and also increase the stipend from INR 25000 to INR 25500.

2. Secondly, he mentioned that the BSIP-V commenced in March, 2024 with 40 interns and they completed their internship in February 2025. He also mentioned that the NBA has extended their internship by another year to the interns who had performed to the satisfaction of the respective SBBs/UTBCs as per Authority decision. In this regard, the Member Secretary proposed to extend the internship by one year up to February 28, 2026 with an increase in the stipend from INR 23500 to INR 24000.

3. Thirdly, the Member Secretary informed that NBA has launched the BSIP-VI at the International Day for Biological Diversity-2024, celebrated at Visakhapatnam. In this regard, he proposed that the internship be given for a period of three years (1+1+1) with an extension for every year given after getting the concurrence of the respective SBB/UTBC and the willingness of the intern. In this regard, the members opined that the intake of interns can be increased from 40 to 50 from the BSIP-VI cycle as well as agreed for extension for three years

4. The members appreciated the efforts taken by the NBA and also agreed that the extension of the internship of these interns will be useful to the organisation in the long run and also in turn be beneficial for the interns.

**Decision:** (a) The members approved the extension of the internship of BSIP-IV till January, 2026 with an increase of the stipend from INR 25000 to INR 25500.

(b) The Authority members approved the internship of BSIP-V till February 28, 2026 with an increase in the stipend from INR 23500 to INR 24000.

(c) The Authority members approved the internship of BSIP-VI for a period of three years

(1+1+1) with an extension for every year given after getting the concurrence of the respective SBB/UTBC and the willingness of the intern.

(d) The Authority members decided to increase the intake of interns from 40 to 50 from the BSIP-VI cycle

**Action: Member-Secretary, NBA**

**73.17: To consider introducing uniforms to multi-tasking staff, attenders, drivers**

The Member Secretary proposed to the members that multi-tasking staff, attenders, and drivers of the National Biodiversity Authority may be provided with a uniform for maintaining office decorum in the National Headquarters. The members agreed to the proposal and also mentioned that other offices also have similar setup.

**Decision:** The authority members approved the proposal for having uniform dress code for all the multi-tasking staff, attenders, and drivers of the National Biodiversity Authority during office hours and official tours.

**Action: Member-Secretary, NBA**

**73.18: To consider the Eligibility and Entitlement of Travelling Expenditure for the Non-Regular Personnel for Official Tours**

In the 72<sup>nd</sup> Authority Meeting (Agenda 72.03), the above subject was submitted for the approval and ratification of expenditure. The Authority, after discussion and deliberation, agreed to the proposal "in principle," and asked the NBA secretariat to come up with detailed comparison of entitlement of similarly placed personnel in various Ministries/Departments/organizations through an explanatory note and submit the same in the 73<sup>rd</sup> Authority meeting.

2. Between the 72<sup>nd</sup> and 73<sup>rd</sup> Authority Meetings, three members communicated their interpretations of the rules and requested clarifications. The Member Secretary presented an explanatory note with its annexures for the members' perusal.



3. While presenting the note, Member Secretary informed that since the NBA has a meagre number of regular employees on its sanctioned strength, the Authority manages its day-to-day work by engaging the HR personnel in various levels., Viz., Consultants, Young professionals, outsourced employees, Domain Experts, Expert consultants, etc.
4. The Member Secretary explained the necessity of sending these non-regular employees on tour to attend various official meetings, seminars, workshops, conferences, symposia, and exhibitions, among other events, to represent the NBA due to lack of adequate regular staff strength. The members agreed on this situation, and some of them have said that it is common in many departments where regular staff strength is inadequate.
5. The Chairperson, NBA said that the entitlements of these personnel need to be revised as the cost of stay and food has gone very high. Recently, the rates have been revised for the permanent staff, whereas the entitlement of non-regular staff was not revised for a very long time. They are facing huge difficulty in getting suitable accommodation during official tours due to low rates fixed in the past.
6. A prolonged debate took place on whether the Chairman of the NBA is a competent authority to fix these entitlements and eligibility. Some of the members had an opinion that all these administrative matters are to be referred to the Ministry before implementation. Members also noted that the Authority authorized the Chairperson, NBA, to decide on the emoluments/ remuneration for expert Consultants in the 13<sup>th</sup> Authority meeting vide Agenda no. 13.23. After considering the relevant Act (sections 10 & 16 of the BD Act), Rules (11(p) & 12 of the BD Rules), Regulation and statutory rules, and existing procedures, the members of the Authority agreed that the Chairperson has the competency to take a call on such administrative/ financial/ technical matters, being the Chief Executive Officer of the Authority and as per the powers vested with him. However, the Chairman has now brought these details to the notice of the Authority for the approval of the entitlements of non-regular staff in a transparent manner.
7. One of the members had questioned how the decision to fix the entitlements and Eligibility of the non-regular personnel was taken. In this regard, it was explained that FRSR-90 was taken into support in common, whereas it was envisaged only for certain conditions. It was then explained by the Accounts Officer, who was asked to clarify that





many ministries, including the MoEFCC and other organisations, are adopting the same FRSR for determining common entitlements and eligibility. The members agreed to that point and were satisfied that the FRSR-90 could be the relevant rule to adopt in this situation.

8. During the discussion, the members raised queries about the justification for fixing entitlements and eligibility for non-regular employees. The Accounts Officer, NBA, presented a detailed presentation referring to various departments, authorities, ministries, and organisations' orders and notifications and justified that the rates fixed by the NBA are either the same as or lower than those fixed by other departments and are within the framework. The members intervened and questioned why a uniform system was not followed, rather than a piecemeal analysis. It was informed that, depending on the mandates of the organisation and the nature of duties, personnel's qualification, remuneration, and entitlement may vary among different ministries/ departments. In this regard, the AO has shown supporting documents collected by him. The AO further explained that in most departments, entitlements are fixed by equating them with levels of the 7th CPC in the range between L-9 and L-11. The NBA proposed the rates, which are almost closer to these levels.

9. During the deliberations, though the members agreed on the fixation of eligibility/entitlements in respect of the Consultants/ Young Professionals and Liaison Executives, they were not able to arrive at a consensus with regard to Outsourced employees. Members informed that "Highly Skilled staff" are mostly applied for recruiting lower-level staff in most of the organisations, whereas scientific and legal personnel are recruited under this category in the NBA. Members suggested that the term "Highly Skilled" for the outsourcing staff may be replaced by an appropriate terminology to suit the needs of the daily administrative and technical activities of NBA.

10. The members, after deliberations, suggested that the NBA follow the OM issued by the MoEFCC in principle to determine the entitlements and eligibility of non-regular staff. The members from the Ministry suggested that instead of Air Economy entitlements given beyond 650 kms., a condition that "they are eligible only for A/c., II tier up to 8 hours journey period and beyond that hours, Air Economy with the approval of the Competent Authority (*i.e., the Chairman in this case*) may be permitted" for Young Professionals /





Liaison Executives. This suggestion was agreed on by the authority after detailed discussions and deliberations.

11. The Authority Members agreed that the Chairperson, being the CEO of the Authority, has all the powers to fix the eligibility/entitlement for the non-regular employees of NBA under an Act passed by the Parliament. Members also suggested to revise the existing order suitably to incorporate the changes proposed. The members further stated that NBA does not need to bring this issue to the authority again for their approval or ratification. The Member Secretary thanked the Authority for providing a suitable solution for the agenda.

**Decision:**

(a) The members of the Authority endorsed the powers vested with the Chairperson to fix the entitlements/ eligibility of non-regular staff as per the collective reading of relevant Sections in the extant Act and Biological Diversity Rules.

(b) The members approved the Eligibility and Entitlement of Travelling Expenditure for the Non-Regular Personnel for Official Tours up to Sl.No.12, as proposed by the NBA, as it is and also authorised the Chairperson, NBA, to review and adopt the entitlements for other categories as per the discussion of this Authority meeting.

(c) The NBA, in principle, has aligned the entitlements with the OM dated 22.09.2020 issued by the MoEFCC, as far as possible, matching the categories in this regard are as below:

Revised Eligibility and Entitlement of Travelling Expenditure for the Non-Regular Personnel for Official Tours with justifications:

Sl. No	Category of non-regular employees	Accommodation	Food	Justification
1	Scientific Consultant – Grade IV (Remuneration : Rs.1,75,000/-)	₹3000 + GST	₹800	As per the O.M. issued by the MoEFCC on 22-09-2020, the Senior Consultants drawing Rs.1,25,000/- and recruited with same qualification are being

Sl. No	Category of non-regular employees	Accommodation	Food	Justification
				given this entitlement. Hence the entitlements are proposed at par with MoEFCC.
2	Scientific Consultant – Grade III (Remuneration : Rs.1,45,000/-)	₹3000 + GST	₹800	As per the O.M. issued by the MoEFCC on 22-09-2020, the Senior Consultants drawing Rs.1,25,000/- and recruited with same qualification are being given this entitlement. Hence the entitlements are proposed at par with MoEFCC.
3	Scientific Consultant – Grade II (Remuneration : Rs.1,20,000/-)	₹3000 + GST	₹800	As per the O.M. issued by the MoEFCC on 22-09-2020, the senior consultants drawing the remuneration of Rs.1,25,000/- are paid the same entitlements. Hence the entitlements are proposed at par with MoEFCC.
4	Scientific Consultant – Grade I (Remuneration: Rs.90,000/-)	₹3000 + GST	₹800	As per the O.M. issued by the MoEFCC on 22-09-2020, the Consultants-C recruited in the Ministry draws almost same (Rs.100000) remuneration and recruited with the same educational qualification. Hence the entitlement are proposed as mentioned.
5	Consultant – Grade “C” (Remuneration : Rs.1,00,000/-)	₹3000 + GST	₹800	As per O.M dt. 22-09-2020 of MoEFCC the same entitlement has been provided to the Consultant C who draws Rs.1,00,000/- and recruited with same qualifications. Hence the entitlement are proposed at par with MoEFCC
6	Consultant – Grade “B” (Remuneration : Rs.80,000/-)	₹2000 + GST	₹800	As per the O.M. issued by the MoEFCC dt 22-09-2020, the Accommodation charges are fixed at par with Consultant-B.

Sl. No	Category of non-regular employees	Accommodation	Food	Justification
				<p>The MoEFCC, Wildlife Division vide their 1-36/2020 WL (Part-I) dated - .01.22, has provided Rs.800/- for food for their Consultants "B" who get the same remuneration</p> <p>Ministry of Textiles, Labour, etc., who pay Rs.80,000/- remuneration and recruit with lower qualifications are paying Rs.1125/- for food. NBA recruit these consultants with higher qualifications.</p> <p>However, the food entitlements are restricted to Rs.800/-, as per the maximum allowed by the MoEFCC. The rates are rationalised as per MoEFCC and other departments</p>
7	Consultant – Grade "A" (Remuneration : Rs.60,000/-)	₹2000 + GST	₹800	<p>As per the O.M. of MoEFCC, dt 22-09-2020 same reimbursement is paid for the Accommodation</p> <p>As far as food reimbursement is concerned, the Ministry of Aayush, who also recruit Consultants even with Rs.50000/= of remuneration and with lower qualification give Rs.1125/- for food as per 7CPC</p> <p>But restricted to MoEFCC's maximum amount of Rs.800/- in this proposal</p>
8	Senior Young Professional (Remuneration: Rs.70,000/-)	₹2000 + GST	₹800	<p>As per the O.M. of MoEFCC, dt 22-09-2020 same reimbursement is paid for the Accommodation</p>



Sl. No	Category of non-regular employees	Accommodation	Food	Justification
				For Food, the Ministry of Agriculture & Farmer Welfare allows Rs.900/- vide their OM dated 01-03-2025
				Ministry of Finance, for the YPs paid the same remuneration (Rs.70000/-) has allowed Rs.900/- vide their OM dated 19-05-22
				EPFO, Ministry of Labour vide their OM dated 29-10-24 has allowed Rs.900/= for food, whose remuneration is still Rs.65,000/=
				Min of Economic Affairs (Remuneration – Rs.70000/-) vide their OM dated 03-08-23 have allowed level 9 (Rs.1125) for food reimbursement
				Niti Ayogh, for their YP of same remuneration (Rs.70000/-), have granted Rs.900/- for food
9	Young Professional – Grade III (Remuneration: Rs.55,000/- to Rs.61,862)	₹2000 + GST	₹800	Other Ministries like Min of Agriculture, Ayush, Textiles, NATCOM, Labour, EA (Finance) are providing Rs.1125/- per food, where as, it is restricted to MoEFCC's maximum allowed amount of Rs.800/-
10	Young Professional – Grade II (Remuneration: Rs.45,000/- to Rs.50,615/-)	₹2000 + GST	₹800	The Salary of the YPs in these departments also around Rs.60,000/- but not exactly matching because there is no classification of YPs –Grade I, II, III etc in these departments
11	Young Professional – Grade I (Remuneration: Rs.40,000/- to Rs.44,990/-)	₹2000 + GST	₹800	
12	Liaison Executives (Remuneration: Rs.41,100/-)	₹2000 + GST	₹800	Fixed at par with Junior Management Cadre of other organisations, who are paid

Sl. No	Category of non-regular employees	Accommodation	Food	Justification
				around Rs.40,000/- remuneration
13	Executive Assistant– Grade IV (Remuneration: Rs.39,000/-)	₹1000 + GST	₹625	The Salary drawing an average of Rs.30,000/- equated to Level 6 is placed for these category for Accommodation  As there is no precedence reference for these level, the rates for food are fixed as per lowest entitlement of 7CPC ., (Level 1 to Level 5).
14	Executive Assistant - Grade III (Remuneration: Rs.37,000/-)	₹1000 + GST	₹625	This category of staff would be sent on Tour only in case of necessity, as per the decisions of the Chairman, NBA.
15	Executive Assistant – Grade II (Remuneration: Rs. 31,400/-)	₹1000 + GST	₹625	
16	Executive Assistant– Grade I (Remuneration: Rs.26,000/-)	₹1000+ GST	₹625	

**Eligibility of Travel:**

**From (1) to (7):** Train II A/c (or) Air Economy

**From (8) to (12):** Train II A/c., up to 8 hours of journey and beyond that hours Air economy

**From (13) to (16):** Train III A/c (However, the Chairman can allow Air-Economy on a case-by-case basis by using his discretion of powers in the public interest if the situation warrants the service of such personnel).

(d) Air travel in economy class beyond 8 hours of journey for Young Professionals and Liaison Executives will be decided by the Chairman, NBA, on a case-by-case basis.

(e) The terminology of “Highly Skilled Staff” is replaced with the term “Executive Assistants” to suit the needs of the NBA and as available in GeM.



(f) With regards to the Executive Assistant, the entitlement will be fixed as First Class/AC-III/AC Chair car by train. However, in the public interest, if the situation warrants the service of such personnel, the Chairman can allow them to travel by Air-economy at his discretion, on a case-by-case basis.

(g) An O.M. to this effect shall be issued by the NBA.

**Action: Member-Secretary, NBA**

<b>73.19: To consider progress made by the Expert Committee on Red Sanders</b>
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The Member Secretary informed that pursuant to the decision taken in the first meeting of the Expert Committee Red Sanders, sub-committee of EC on Red Sanders constituted vide Office Order dated 16.02.2024 under the Chairmanship of Shri. P. Mallikarjuna Rao, IFS (Retd.) to discuss and suggest modalities for conducting the International Conference on Red Sanders and Biodiversity of Eastern Ghats at Tirupati.

2. He mentioned that the Sub-committee met thrice so far on 05.03.2024, 10.04.2024 and 29.01.2025 and discussed the road map for holding International Conference on Red Sanders and Biodiversity of Eastern Ghats and also has shortlisted key areas and issues that have to be captured in the concept note that is being prepared. He further mentioned that the sub-committee has developed draft concept note covering tentative agenda, tentative list of speakers for various sessions, tentative schedule and submitted to the expert committee. Further, Dr RSC Jayaraj, IFS (Retd) has also provided his comments on the concept note.

3. The Member Secretary also informed that the second meeting of the Expert Committee on Red Sanders was held on 27<sup>th</sup> & 28<sup>th</sup> December, 2024 at Hyderabad. The discussion was focused on procedure for granting approval by the NBA for access to cultivated Red Sanders wood, allowing Indian farmers to export the Red Sanders wood, quota of the Red Sanders allotted to the State Governments as per orders of the DGFT, and modalities for taking census of the Cultivated Red Sanders Tree by the concerned Forest Department with the support of NBA. The following decisions were emerged in the meeting which has also been captured in the Minutes of the meeting:





- (i) International Conference on Red Sanders and Biodiversity of Eastern Ghats may be organized jointly by NBA, Andhra Pradesh forest Department and Andhra Pradesh State Biodiversity Board in the current year at Tirupati.
- (ii) The Sub-committee comprising Dr. R. S. C. Jayaraj, Lead coordinator, Shri. R. Hemanth Kumar, Dr. Maria Dominic Savio and Dr. Maheshwar T. Hegde, has to examine the draft checklist, draft procedure for processing the applications by NBA, and draft concept note and make necessary modifications based on the discussions, and submit it to the EC for consideration in the next meeting of the EC.
- (iii) NBA secretariat to communicate to concerned officials including AP forest Department and department of Customs seeking status of the export of Cultivated Red Sanders wood M/s. Shangai Shenda IMP & Exp co Ltd. EC will re-examine the application along with information ascertained from the departments in the next meeting.
- (iv) State Forest Departments of AP, TN, Telangana, Karnataka, Kerala and Odisha may conduct census of Red Sander cultivated in private lands at the earliest.
- (v) State Biodiversity Boards and State Forest Departments should co-ordinate with each other and make a uniform certificate of origin for Red sanders.
- (vi) The AP Forest Department was requested to send request to revalidate the unspent ABS amount from the NBA and expedite the utilize the ABS amount released by the NBA

4. The Chairman, NBA apprised the members that the report of the expert committee on Red Sanders is being prepared. He further mentioned that a detailed report titled "A Comprehensive Policy for Conservation, Sustainable use and Fair and Equitable Sharing of Benefits Arising from Utilisation of Red Sanders under the Biological Diversity Act, 2002" has been prepared in 2015 which has been approved by the Authority and also accepted by the MoEFCC. However, he opined that this report needs updation and hence the expert committee are in the process of updating the report.

**Decision:** The Authority members considered and ratified the minutes of the second meeting of the Expert Committee on Red Sanders held on 27<sup>th</sup> & 28<sup>th</sup> December, 2024

**Action: Member-Secretary, NBA**

<b>73.20: To ratify the grants released to State Biodiversity Boards and Union Territory Biodiversity Councils</b>
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The Member Secretary informed the members that the NBA supports the office of the Member Secretaries in SBBs and UTBCs by providing financial assistance towards

various components for undertaking mandatory works in implementing the Biological Diversity Act at the State /UT level. This financial support is subject to the proposals received from the SBBs/ UTBCs during each financial year based on their requirements. During the 67th Authority meeting (agenda No.67.04), NBA fixed a cap amount of Rs.14,50,000/- per year to support State Biodiversity Boards (SBBs) for engaging contractual/outsourcing personnel.

2. During the current financial year 2024-25, he informed that the Uttar Pradesh State Biodiversity Board and Mizoram State Biodiversity Board submitted requests for additional financial assistance over and above the cap amount fixed by NBA. Based on the specific operational challenges and the additional needs required to effectively implement mandatory works related to the Biological Diversity Act, the NBA considered their request and released an additional amount of Rs.3,00,000/- to Uttar Pradesh SBB and Rs.13,100/- to Mizoram SBB for engaging outsourcing/contractual staff for the financial year 2024-2025.

3. Further, the The Member Secretary also mentioned that NBA has also received a proposal from Jammu and Kashmir UTBC for financial support towards "strengthening of the grassroots level units of the J&K Biodiversity Council" which is the new component. However, in order to improve its operations and enhance the functioning of the UTBC, the NBA has sanctioned a grant of Rs. 10,00,000 (Rupees Ten Lakh Only) for the financial year 2024-25 for this purpose.

**Decision:** (a) The members considered and ratified the release of an additional amount of Rs.3,00,000/- to Uttar Pradesh SBB and Rs.13,100/- to Mizoram SBB for engaging outsourcing/contractual staff for the financial year 2024-2025 over and above the cap amount of Rs.14,50,000/- per year.

(b) The members also considered and ratified the release of Rs. 10,00,000/- for strengthening the grassroots level units of the J&K Biodiversity Council.

**Action: Member-Secretary, NBA**



**73.21: Transferring funds from NB fund (ABS) account to NB fund (ADMIN) account**

The members were informed that as per Rule 20 (9) of the Biological Diversity Rules 2004, five per cent (5%) of the assessed benefits shall be earmarked for the Authority / Board -as the case may be towards the administrative and service charges. In this regard, the Authority vide Agenda 18.6 had approved the proposal of further sharing of assessed benefits at the rate of 2.5% each by the Authority and the concerned Board. The ABS Regulations 15 (i)(a) also has envisaged the Authority to take 5% as administrative Charges and to share half of the amount with the concerned SBBs/ UTBCs.

Further, the Member Secretary apprised the members that the Authority had given its consent for utilising the Administrative Charges accumulated in the NBF (Admin) Account along with the interest portion of Red Sanders ABS for certain aspects in its Agenda 55.06 and 68.38 in respective Authority Meetings.

In this regard, he mentioned that recently, a sum of Rs.2,47,59,460/- being the 2.5% of ABS as Administrative Charges was transferred from the NBF Account to the NBF (Admin) Account as per the above mentioned provisions. This amount was/is being spent for the following purposes as defined by the Authority in Agenda 55.06 and 68.38:

- Conservation and Sustainable use of bio-resources
- Preparation of People Biodiversity Registers (PBR)
- Formation of Biodiversity Management Committees (BMCs)
- Awareness Creation, Training and capacity-building measures
- Research Studies, Publication of Articles
- TA/DA expenditure and Sitting Fee for EC Members and for the Conduct of the EC meetings
- Funding the project proposals

The Member Secretary also mentioned that apart from the above, the NBA has utilised the funds for granting financial assistance to all SBBs/ UTBCs for their expenditure towards engaging outsourced staff with the approval of the competent authority. The transfer of funds (Rs.2,47,59,460/-) as per the Act, Rules and Regulation is placed to the authority for ratification.

**Decision:** The Authority members ratified the transfer of funds (Rs.2,47,59,460/-) from NB fund (ABS) account to NB fund (ADMIN) account and its utilisation for the purposes envisaged in the above paragraph.

**Action: Member-Secretary, NBA**

**73.22: To consider the proposals received by NBA seeking financial assistance**

The Member Secretary apprised the members that NBA is providing financial assistance to various institutions / organisations/NGOs/SBBs etc. for conducting training/workshops/seminars/ awareness programmes/ book publishing on biodiversity conservation and sustainable use and enriching biodiversity in biodiversity parks, Botanical gardens. The Authority in its 68<sup>th</sup> Authority meeting held on 1st-2nd December, 2023 (Agenda No. 68.19), had approved to keep a financial limit of Rs. 10 lakhs for each project proposal that may be approved by the Chairman, NBA. In this regard, the members were informed about the six programs/publications for which NBA had provided partial financial assistance. In this regard, the members pointed out that the NBA Secretariat may also provide the date of sanctioning the financial assistance along with the amount to the proponents in the forthcoming Authority meetings.

2. The members appreciated the efforts taken by the NBA. The members opined that the guideline that is already in place may be streamlined to bring out more clarity on the scope and themes for providing financial assistance by NBA. Further, the members opined that a committee may be constituted to scrutinize the proposals received by NBA for financial assistance. The members pointed out that the

3. In this regard, the members unanimously suggested that a three member committee consisting of Dr. Hanchinal R Ramappa, Dr. Joykumar Laishram and Dr. Gouri Joshi, Non official members may be constituted to frame the revised guidelines and scrutinize the proposals received by the NBA from organizations/institutions other than SBBs, Forest Department and other Government departments etc. and recommend the financial assistance that can be given to proposals that has the required merits.

**Decision:** a) The Authority members considered and ratified the decisions taken on the six programs/publication for which NBA had provided partial/ full financial assistance.



b) The members decided that a three- member committee consisting of Dr. Hanchinal R Ramappa, Dr. Joykumar Laishram and Dr. Gouri Joshi, Non official members be constituted for the following till the end of their tenure as Non official members.

(i) to frame the revised guidelines for financial assistance provided by NBA to various institutions / organisations/NGOs etc. for conducting training/workshops/seminars/ awareness programmes/ book publishing on biodiversity

(ii) to scrutinize the proposals received by the NBA and recommend the financial assistance that can be given to proposals that has the required merits.

c) Meantime, the proposals already in the pipeline or under processing may be cleared by the chairman on their merits.

**Action: Member-Secretary, NBA**

**73.23:To consider the decisions taken on the applications for access to Red Sanders**

The members were informed that the applications for seeking approval for accessing the Red Sanders wood were scrutinized as per the procedure approved by the Authority in its 32<sup>nd</sup> (32.07) & 35<sup>th</sup> (35.03 & 35.19.01) meetings. In the 32<sup>nd</sup> Authority meeting (32.07), the Authority had authorized the Chairman, NBA to accord approval to such applications without following the normal procedure and also directed the NBA Secretariat to place such approvals in the subsequent Authority meeting for ratification. Accordingly, the Chairperson, NBA approved 13 applications during February 2024 to February 2025, which are furnished below for ratification.

Sl. No.	Appl. No.	Name of the applicant	Quantity (in MTs)	Approval granted on	5% of BS received by NBA	
					in USD	in INR
1.	INBA1202 305285	Powergrip Resources Pte Limited,	18.12700	02-03-2024	5,438.13	4,61,732.00
2.	INBA1202 305339	Putian City Zhonghe Zhenglin Trade Co. Ltd.	15.54100	04-03-2024	7,566.36	6,27,665.00
3.	INBA1202 304558	Fujian Yongshi Min Chuang Trading Co. Ltd.	18.21170	04-03-2024	11,382.31	9,39,713.00



4.	INBA1202 305341	Putian City Zhonghe Zhenglin Trade Co. Ltd.	13.45342	07-03-2024	5,613.27	4,68,699.00
5.	INBA1202 305573	Putian City Zhonghe Zhenglin Trade Co. Ltd.	27.16900	07-03-2024	46,888.22	39,02,454.00
6.	INBA1202 305321	Shanghai Yuanshen Exim Co. Ltd	20.00000	02-04-2024	15,000	12,42,427.00
7.	INBA1202 305361	Zhongshan Shangsen Trading Co. Ltd.	35.16679	30-04-2024	40,686.75	33,93,341.00
8.	INBA1202 304778	Shanghai Swordfish International Trading Company	0.94100	27-04-2024	39,62.50	3,32,454.00
9.	INBA1202 405821	Xiamen World Express Trading Co. Ltd.	16.83300	05-06-2024	29,541.92	24,60,441.00
10.	INBA1202 405717	Powergrip Resources Pte Limited	110.60000	17-07-2024	11,060.00	9,20,248.00
11.	INBA1202 406172	Xiamen Wanti Trading Co Ltd	6.00260	09-10-2024	6,002.60	5,00,002.00
12.	INBA1202 405852	PGR Trade PTE Ltd.	6.08300	04-07-2024	3,041.50	2,57,515.00
13.	INBA1202 304513	Far East International Trading Limited	17.79600	26-12-2024	5,635.85	4,70,078.00
<b>Total</b>			<b>305.92451</b>		<b>1,87,856.91</b>	<b>1,59,76,769.00</b>

**Decision:** The Authority ratified the approval granted to 13 Red Sanders applications by the NBA Secretariat.

**Action: Member-Secretary, NBA**

**73.24: To Consider the Decision taken on Form-B applications**

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

2. In this regard, the 32<sup>nd</sup> Authority meeting vide Agenda No, 32.06 decided the following:

- a) *The Chairman, NBA is authorized to accord approval or otherwise for Form-B applications, without referring to the SBB and the EC on ABS.*

b) *The approval or otherwise on the applications accorded shall be placed in the subsequent authority meetings for ratification.*

3. The Member Secretary informed that NBA has granted approval to **21** applications and closed **05 (five)** applications of **Form-B**.

**Decision:** The Authority considered and ratified the decisions taken on the **26** Form B applications.

**Action: Member-Secretary, NBA**

**73.25: Details of Form-C applications received by the NBA**

The Member Secretary apprised the members that the Authority in its 37<sup>th</sup> meeting held in March 2016 under agenda item 37.14.02, decided that the Indian researchers / scientists should provide prior intimation to the NBA in the prescribed format viz., Form-C for deposition of microorganisms in other country's repository for claim of novel species for publication in journals. NBA has received **333** intimations since March 2016 – February 2025, and the same has been reported to the Authority from time to time. He informed that since February 2024, the Secretariat has received **17** Form-C applications. **Decision:** The Authority members noted the information on the **17** Form C applications.

**Action: Member-Secretary, NBA**

**73.26: To consider the termination of agreements executed with applicants**

The Member Secretary informed the members that NBA provides approval for the activities envisaged in the Biological Diversity Act, 2002 in the form of agreement which is executed between the applicant and NBA on mutually agreed terms. In this regard, NBA had signed **884** agreements under Form-I, Form-II, Form-IV applications, till now.

2. He further explained that the agreements entered between the applicant and NBA include period of the agreement, duration of access, benefit sharing component, do's and don'ts. As a part of monitoring during the period February, 2024 to February, 2025, it is found that 4 applicants have complied with the terms and conditions laid down in the agreement and the agreement period was also over and hence these four applications were closed.

**Decision:** The members noted and ratified the termination of the four agreements by NBA.

**Action: Member-Secretary, NBA**

**73.27: To consider the termination of Form-B approvals by NBA**

The Member Secretary informed that the NBA had granted approval to **205** applicants for sending/carrying the biological resources outside India for conducting non-commercial research or research for emergency purpose outside India by Indian Researchers/Government Institutions, as per regulation 13 of ABS Guidelines, 2014.

2. He further explained that out of the above-mentioned approvals, NBA had closed **76** applications till November, 2024 after the applicant complied with all obligations on the approval granted/upon request of the applicant.

**Decision:** The members ratified the termination of the 76 Form B applications.

**Action: Member-Secretary, NBA**

**73.28: To ratify engagements of Experts / Resources person/ Subject Matter Specialist to deliver technical inputs on the specific issues**

The Member Secretary explained to the members that NBA that the secretariat receives communications from MOEFCC and various other Ministries/departments requesting inputs from NBA in various fields in time bound manner. In this regard, he informed that NBA engaged experts/ subject matter specialists on various subjects for specific duration with specific terms and conditions as per the decision taken on Agenda item no. 67.06 of the 67<sup>th</sup> Meeting of the Authority held on 24.03. 2023 and with a fee of Rs 4000/- per work day.

**Decision:** The Authority members ratified the engagement of Experts / Resources person/ Subject Matter Specialist to deliver technical inputs on the specific issues

**Action: Member-Secretary, NBA**



**73.29: To consider the constitution / extension of the Expert Committees**

The Member Secretary apprised the members on the Expert Committees listed below that have been constituted or extended by the National Biodiversity Authority:

1. Expert Committee to examine the extant Biological Diversity Rules, 2004 and ABS Regulation, 2014 and to suggest required modifications thereof – Term Extended
2. Expert Committee on Red Sanders – Term Extended
3. Expert Committee on Access and Benefit Sharing (ABS) – Term Extended
4. Expert Committee on Digital Sequence Information – Term Extended
5. Expert Committee on SBBs/UTBCs – Term Extended
6. Expert Committee on Normally Traded as Commodities (Fresh water, brackish water and Marine Biological Resources) – Newly Constituted
7. Expert Committee on Business and Biodiversity – Newly Constituted
8. Expert Committee on Indian Bird data – Newly Constituted

**Decision:** The Authority members noted the information in this regard.

**Action:** Member-Secretary, NBA

**73.30: Legal advice on contravention applications under the office Memorandums issued by MoEFCC and applications kept in abeyance for the enforcement of the Biological Diversity (Amendment) Act 2023 to be dealt with by the National Biodiversity Authority (NBA).**

The Member Secretary of the NBA explained to the members that the NBA sought guidance from Learned Additional Solicitor General, Shri A.R.L. Sundarasan through a letter dated 11.02.2025 on queries related to contravention applications under the office Memorandums issued by MoEFCC and applications kept in abeyance for the enforcement of the Biological Diversity (Amendment) Act 2023 to be dealt with by the National Biodiversity Authority (NBA). There are 242 applications currently kept in abeyance, with 102 of these filed under the Office Memorandum issued by the MoEFCC for dealing with the contravention application filed and pending before 01.04.2024

2. It was explained to the Members that the Ld. ASG opined that Sec. 56 remains as it is even after the amendment and Sec. 61 continues in the statute books even after the



slight modifications even after the amendment. When the Parliament has referred to the imposition of punishment and fine, the same cannot be done by the executive authorities which are created under the Act. Punishments can be imposed only by the courts of the law. Thus it was opinion that the NBA cannot impose penalty for contravention of NBA directions/orders under Sec. 56 of the Biological Diversity Act, 2002 (as amended in 2023).

3. The Member Secretary of the NBA stated that the Ld. ASG is of the opinion that the amended Act can be given retrospective effect and even old violation cases can be dealt with under Sec. 55 and Sec. 55(A) as amended by the 2023 Act and the Adjudicating Officer appointed under Sec. 55(A) can deal with such cases and impose penalties and that even cases that have arisen prior to 01.04.2024, can be dealt with under Sec. 55 and Sec. 55(A) by the Adjudicating Officer appointed by the Central Government.

4. The Member Secretary informed the members that the Ld. ASG has further opined that as there is no saving or repeal clause in the Amended Act and, considering the intention behind amending the Act, the Biological Diversity (Amended) Act will have a retrospective effect. Thus, the old contravention applications can also be considered by the Adjudicating officer in accordance with the Biological Diversity (Amendment) Act.

5. Some members expressed that it would be prudent to seek a second opinion before finalizing the matter, while others argued that the Ld. ASG is one of the top legal officers in the state and appointed by M/o Law & Justice, taking a second opinion may not be warranted. One of the Members from MoEFCC opined that Ministry may seek clarification from the Ministry of Law and Justice. The Chairman, NBA responded that the opinion offered by the Learned Additional Solicitor General of India clearly provides the direction. It will also further boost the ease of doing business. As there is no repeal or saving clause in the amended act, in his opinion the ASG's guidance can very well be adhered. As ASG is appointed by the MoLJ for clarifying legal issues, it can be adopted. Further, as it had already been communicated to the MoEFCC, it is upto MoEFCC to take an appropriate decision.



**Decision:**

The Authority decided that the NBA may wait for the response of the MoEFCC on the opinion offered by the Learned Additional Solicitor General of India to deal with the contravention cases that were identified in the past before the amendment of the Act.

**Action: Member-Secretary, NBA**

**73.31: Access and benefit sharing amount realized during February, 2024 to February, 2025**

The Member Secretary, informed the members that in accordance with Section 21 of the BD Act 2002, the NBA has received a sum of **INR 10,63,29,950/-** (Rupees Ten Crore Sixty-Three Lakh Twenty-Nine Thousand Nine Hundred Fifty Only) as benefit-sharing component in the National Biodiversity Fund after execution of agreements in **68** applications during the period February 2024- February 2025.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.32: Generating Internationally Recognized Certificates of Compliance (IRCC) during February, 2024 to February, 2025**

The Member Secretary apprised the members that under the Article 17 of the Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization, Parties are obligated to issue a permit or its equivalent at the time of access, serving as evidence that the access to genetic resources was based on prior informed consent and that mutually agreed terms were established.

2. In this regard, he informed that since India is being a party to the Nagoya Protocol, NBA has uploaded details of 3,536 approvals granted in the Access and Benefit-sharing Clearing-House (ABSCH) platform, generating Internationally Recognized Certificate of Compliances (IRCCs) since October 2014 and so far, India has issued 3536 IRCCs in the ABSCH portal. These IRCCs account for 65.15% of the total certificates published



globally (i.e 5427 IRCCs issued worldwide). He further added that India has published 40 IRCCs in the ABSCH platform during the period February 2024 to February 2025.

**Decision:** The Authority members noted the information in this regard.

**Action:** Member-Secretary, NBA

**73.33: To consider the progress made on monitoring the deposition of Voucher specimen by the applicant in the designated repository during February, 2024 to February, 2025**

The Member Secretary informed the members that the Central Government has designated 18 institutions as Repositories under section 39 of the BD Act to keep in safe custody of the vouchers specimens of biological resources accessed under the Act. As per the terms and conditions of the agreement, an applicant who has obtained approval from NBA has to submit the voucher specimens in the concerned repository and submit the acknowledgement issued by the repository to NBA.

2. In this regard, he mentioned that so far 6,951 voucher specimens of biological resources have been deposited by the applicants in the repositories and 334 voucher specimens have been deposited during the period from February 2024 to February 2025.

**Decision:** The Authority members noted the information in this regard.

**Action:** Member-Secretary, NBA

**73.34: The activities undertaken by NBA for the promotion of "Mission LiFE - Lifestyle for Environment"**

The Member Secretary, NBA informed the members that as per the OM of MOEFCC vide No. 8-6/2023-EE-LiFE dated 13<sup>th</sup> January, 2023, all Divisions of MoEFCC were requested to promote the theme of Mission LiFE (Life Style for Environment) through various citizen centric functions and activities to ensure maximum public outreach.

2. Accordingly, the NBA actively highlighted the Mission LiFE themes, including **Action Point 65: Start Biodiversity Conservation at the Community Level**, which has



direct relevance to the core mandates of the NBA, among the different stakeholders concerned. He mentioned that since February 2024 to **February 2025**, NBA has conducted **17 such** activities to promote 'Mission LiFE' themes.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

<b>73.35: National Institute for Research and Application of Natural Resources to Transform, Adapt, and Build Resilience (NIRANTAR)</b>
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The Member Secretary mentioned that the National Institute for Research and Application of Natural Resources to Transform, Adapt and Build Resilience (NIRANTAR) was constituted vide Order dated 22<sup>nd</sup> November 2022 by Ministry of Environment, Forest and Climate Change (MoEFCC), Govt. of India to undertake to enhance cooperation and collaboration among various institutes of the Ministry. The NIRANTAR platform is being headed by a High Powered Steering Committee (HPSC) under the Chairmanship of the Hon'ble Minister, MoEFCC. Four thematic verticals were established within the NIRANTAR platform in which the National Biodiversity Authority falls under the "Ecosystem Survey and Analysis" vertical.

2. He further informed that the NBA and the National Museum for Natural History (NMNH) has signed a Memorandum of Understanding, with the objectives of NIRANTAR, for making collective efforts to develop and organize awareness and educational programmes and activities to sensitize young minds towards the importance of biodiversity, nature and environment. It was also agreed upon that the NBA will provide the knowledge products, such as published documents, films, models, communication tools, etc., for display/screening in the programme.

3. The Member Secretary further informed the members that so far, under NIRANTAR, nine meetings have conducted by the Ministry and was attended by The Chairman and/or Dr. B. Balaji, Member Secretary, NBA. He mentioned that the NBA has also provided inputs on the draft Standard Operating Procedure (SoP) prepared by the ICFRE and Annual Reports into the NIRANTAR portal.

**Decision:** The Authority members noted the information in this regard.



**Action: Member-Secretary, NBA**

**73.36: Development of E-PBR application (BIOMIS Portal)**

The Member Secretary apprised the members, the activities undertaken by NBA, for the development of E-PBR application (BIOMIS – Biodiversity Management Information System portal). He mentioned that five review meetings have been conducted with the 12 pilot states, a meeting with ZSI, BSI, NIC along with MoEFCC to populate the master species data and validation of the PBR entered by BMCs. In this regard, the SBBs have updated around 50,000 BMC details into the BIOMIS portal and are in the process of updating the BMC member details in the BIOMIS portal. Further, he mentioned that a workshop on e-PBR portal (BIOMIS application) to train the SBBs and State NIC units involved in the process of uploading PBR data was organized on 23<sup>rd</sup> August, 2024.

2. He further informed that NBA has joined hands with GiZ- India team in a project titled “National Framework for Electronic People’s Biodiversity Register in India”, and the project was placed before the screening committee held on 23.12.2024 at MoEFCC, wherein the committee conveyed its support to the project and recommended to initiate the preparatory activities towards the project. In this regard, NBA, Tamil Nadu State Biodiversity Board (TNSBB) and the GiZ team conducted a state-level workshop in Coimbatore, Tamil Nadu on 3<sup>rd</sup> – 5<sup>th</sup>, Feb, 2025.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.37: ICAR seeking comments / approval for supply of 10 saplings of five mango varieties to the Embassy of India, Kuwait.**

The Member Secretary, explained to the members that NBA had received a communication from the Assistant Director General (Seeds), ICAR for seeking comments / approval from NBA for supplying 10 saplings of five mango varieties to the Embassy of India, Kuwait. It was informed that the mango saplings will be presented by the Hon’ble Prime Minister of India to Government of Kuwait. In this regard, the Member Secretary informed the members that as the mango varieties were being presented to



the Government of Kuwait as a gift, it does not attract the activities as envisaged in the provisions of the BD Act, 2002 as amended in 2023. However, in future, if any non-Indian entity/ person intends to access the said mango varieties from Government of Kuwait for undertaking research or commercial utilization, then such person has to obtain prior approval of NBA as per section 3 of the BD Act.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.38: Medical treatment for NBA staff at rates comparable to those offered under CGHS**

The Member Secretary informed the members that to implement the medical treatment for NBA staff at rates comparable to those offered under CGHS, NBA has entered into a Memorandum of Understanding (MoU) with some hospitals. This MoU ensures that the NBA staff can receive medical treatment on par with CGHS/ Subsidiary rates until NBA is formally brought under the CGHS scheme.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.39: Report of the High-Level Technical Committee (HLTC) on the issue of Red Oil Palm (ROP) cultivation**

The Chairman, NBA informed the members about the status of the High-Level Technical Committee (HLTC) constituted vide OM No.13-1/2020B-I (NAEB) dated 31<sup>st</sup> January 2023 by the Ministry of Environment, Forest and Climate Change (MoEFCC), Govt. of India to undertake a more comprehensive study to examine the issue of Red Oil Palm (ROP) plantation in Andaman and Nicobar Islands under the Chairmanship of Shri C. Achalender Reddy IFS (Retd.), Chairman, NBA, Government of India, with nine members. He further mentioned that the HLTC has submitted its report on 09.09.2024 to the Assistant Inspector General of Forests, MoEFCC.



3. The MOEFCC has further submitted the compliance affidavit, along with the accepted report filed by HLTC on 08.11.2024, before the Hon'ble Supreme Court. The matter was listed on 11.11.2024, 20.11.2024 and 15.01.2025 19th February 2025, 5<sup>th</sup> March 2025 but was not heard due to paucity of time.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

<b>73.40: Participation of NBA officers in the Conferences / Meetings / Capacity Building Programmes</b>
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The Member Secretary apprised the members about the meetings that have been participated by the Chairperson, NBA and Member Secretary, NBA

- (i). Twenty-Sixth Meeting of Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA-26) to the CBD
- (ii). Fourth Meeting of Subsidiary Body on Implementation (SBI) to the CBD
- (iii). The International Day for Biodiversity 2024 celebration at Kenya
- (iv). Fifth Subsidiary Body of Implementation to the CBD and Sixteenth meeting of the Conference of Parties to the Convention on Biological Diversity
- (v). Panel discussion organized by the International Centre for Integrated Mountain Development, Nepal
- (vi). Meeting to discuss the modalities on Phase-II, CEBPOL Project with Dr. Ravi Srinivas, NALSAR University
- (vii). Model Conference of Parties (MCOP)
- (viii). Meetings with the SBBs and UTBCs to review the utilisation of ABS fund released by the NBA, progress made on the EPBR, discussion on the modalities to celebrate the International Day for Biological Diversity, World Environment Day across the country by involving BMCs.
- (ix). Meeting organized by the DPIIT, Ministry of Commerce through virtual mode to discuss the draft BD Rules, 2024 viz-a-viz., International Legal instrument on IPR, GR and TK, under negotiation in the WIPO.

(x) Meeting with Ministry of AYUSH to discuss the Draft BD Rules, 2024 and discussion on obtaining certificate of origin as outlined u/s 7 of the amended Act.

(xi) TRIPS-CBD Linkages Consultation Meeting

(xii) Consultation Meeting on Nomination of Subject Experts on TK/TCEs

(xiii) Discussion meeting with the Protection of Plant Varieties and Farmers' Rights Authority (PPVFRA) on the compliance with Section 3 by the breeder before registration with the PPVFRA, Section 18(h) of the PPVFR Act, 2001, areas of conservation of plant genetic resources, conducting capacity building, and awareness creation programs

(xiv) NBA along with the Botanical Survey of India jointly organised the 3<sup>rd</sup> International Symposium on Plant Taxonomy, Ethnobotany, Botanic Gardens and Biodiversity Conservation from the 13.02.2025-15.02.2025 February, 2025 at Kolkata. Dr B Balaji, Member Secretary, NBA participated in the conference and NBA held a session on Biodiversity conservation, governance and its issues.

2. The Member Secretary also apprised the members about the training and capacity building programme organised by NBA

- a. Training and capacity building program to Forest Range Officer Trainees from Telangana State Forest Academy (TSFA)
- b. State Level workshop on "Implementation of BIOFIN- Finance Solutions in Telangana"
- c. NBA conducted awareness creation to SBBs about BD (Amendment) Act, 2023
- d. Meeting on One Health and Agroecology: Building Synergies

**Decision:** The Authority members noted the information in this regard.

**Action:** Member-Secretary, NBA

**73.41: WHO Pandemic Agreement (Chapter II- Article 12-Pathogen Access and Benefit-Sharing System Instrument) multilateral Benefit sharing specialised instrument**

The Member Secretary informed the members that the World Health Assembly at its special session, established an intergovernmental negotiating body (INB) to draft and

negotiate a convention, agreement or other international instrument under the Constitution of the World Health Organization (WHO) to strengthen pandemic prevention, preparedness and response. The INB drafted and negotiated the text of the WHO Pandemic Agreement. The Para (g) of Article 12(3) of the Agreement provides facilitated access to "PABS material and information" which covers biological material from a pathogen or its digital sequence information with pandemic potential to the development of pandemic-related health products. The draft WHO pandemic agreement establishes specialized international instrument on ABS under Article 4(4) of the Nagoya Protocol on ABS.

2. In this regard, he further mentioned that NBA has received the draft text of the pandemic agreement which is under negotiation in WHO from the MOEFCC for comments. The MoH&FW also sought inputs from NBA.

3. The Member Secretary apprised that NBA has given its inputs on three occasions and four online meetings have been attended by the representative of the NBA.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

<b>73.42:Thematic working Group constituted by the MoEFCC for formulating and implementing National Adaptation Plans</b>
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The Member Secretary apprised the members that according to the Article 7 of the Paris Agreement, all Parties are required to engage in adaptation planning including formulating and implementing National Adaptation Plans (NAPs). In this regard, MoEFCC vide office order F. No CC-10007/2/2024-CC dated: 31.05.2024 has constituted Working Groups for preparation of India's National Adaptation Plan based on the Article 7 of the Paris Agreement. A representative of NBA has been nominated in two Working Groups, i.e., Forestry: Sectoral Working Group and Ecosystems and Biodiversity: Sectoral Working Group. Accordingly, representatives of NBA have attended three meetings under various thematic working group and provided inputs.



2. He further mentioned that the India has submitted its initial Adaptation Communication to UNFCCC in Dec, 2023 which stated that India will expedite formulation of NAP.

**Decision:** The Authority members noted the information in this regard.

**Action:** Member-Secretary, NBA

**73.43: To consider the development of ABS end-to-end portal by UNDP in association with NBA**

The Member Secretary, NBA informed the members that pursuant to the discussions with the MoEFCC officials, it was decided to develop an ABS end-to-end portal so as to ensure transparency in the process and reduce the timelines for undertaking various activities.

2. Further, Rule 11(y) of the Biological Diversity Rules, 2024 provides that the Authority may develop an online Information Technology portal for the discharge of its various functions under the Act in a transparent and accountable manner.
3. In this regard, the Member Secretary mentioned that subsequently, NBA has joined hands with UNDP to develop this ABS end-to-end portal connecting NBA-SBB-BMC and other stakeholders for receiving and processing ABS applications, distribution of benefits to the beneficiaries / BMCs, monitoring the utilization of funds at the level of BMCs.
4. In this regard, the Member Secretary apprised the members that the NBA is in discussion with the officials of UNDP and the content developer towards development of the software within a period of minimum 8 months. Further, he mentioned that a timeline has been proposed after having a discussion with the UNDP & NIC for completing the project in a phased manner
5. The members deliberated on the timelines and the progress made so far. The members opined that awareness should be created among the SBBs with regard to the amendments in the BD Act, BD Rules and Forms. To this, the Member Secretary informed the members that awareness programs are being conducted. The members



mentioned that the BMCs also should be made aware of the provisions of the Act relevant to them.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.44: Techno-Administrative – Legal inputs offered by NBA to the MoEFCC on issues including International Instruments, including Multilateral/ Bilateral discussion**

The Member Secretary, NBA informed the members that NBA has provided inputs to MoEFCC for various international instruments including multilateral/bilateral discussions, cabinet notes which are as follows:

- 1) Concept note developed by GIZ for Advancing Global Agendas through Circular Transformation to avail funding from International Climate Initiative
- 2) Inputs prepared by MoEFCC on Trade and sustainable Development for G-20 Trade and Investment Working Group in response to the Issue Note shared by Brazil
- 3) Meeting convened by the Department of Commerce to discuss the Biodiversity related and cross cutting issues of TSD Chapter of India-EU FTA:
  - a. 7<sup>th</sup> round of India-EU FTA negotiations
  - b. 8<sup>th</sup> round of India-EU FTA negotiations
  - c. 9<sup>th</sup> round of India-EU FTA negotiations
  - d. 10<sup>th</sup> round of India-EU FTA negotiations
- 4) Note on Indo-Pacific Oceans Initiative (IPOI)
- 5) Announcement to be made by the Hon'ble Minister for Environment, Forest and Climate Change during the BIMSTEC Summit, September, 2024, Bangkok, Thailand
- 6) Agenda 4(b) Implementation of the Fifth Programme for the Development and Periodic Review of Environmental Law for the second global meeting of national focal points for Montevideo Programme V is scheduled to be held on 3 - 6 June 2024 at Nairobi, Kenya



7) Seeking list of activities that can be converged with the BIMSTEC Plan of Action on Mountain Economy

8) MoU between the Indian Council of Medical Research (ICMR) and the Bangladesh Medical Research Council (BMRC)

9) Cabinet for implementation of Clean Plant Programme (CPP), as a component of Mission for Integrated Development of Horticulture (MIDH)' Centrally Sponsored Scheme of DA&FW for the period of 2024-25 to 2029 to 2030

10) MoU between the Indian Council of Agricultural Research (ICAR) and various institutions outside India

11) G20 Health Ministerial Declaration on Climate Change and Health

12) Issue note of Environment & Climate Sustainability Working Group (ECSWG), South African G20 Presidency

13) Advisory on research projects involving foreign collaboration/nationals- GEAC Secretariat

14) Draft Contingency Plan for Hazardous and Noxious Substances (HNS) Incidents at Sea and Draft SOP thereof

15) Draft of the UNOC3 Declaration

16) Inputs in finalising the syllabus of NALSAR University

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

<b>73.45: To consider extension of Maternity Benefit Act to Young Professionals &amp; Outsourcing staff</b>
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The Member Secretary explained to the members that an application for sanction of Maternity Leave was received from a Young Professional and a staff engaged on Outsourcing basis to sanction Maternity Leave.

2. He apprised the members that as per Section 3(O) of Maternity Benefit Act, 1961, "woman" means a woman employed, whether directly or through any agency, for wages



in any establishment. As per Section 3 of The Maternity Benefit (Amendment) Act, 2017 which along with Section 5 of Maternity Benefit Act, 1961 to be read as "The maximum period for which any woman shall be entitled to maternity benefit shall be twenty-six weeks of which not more than eight weeks shall precede the date of her expected delivery".

3. The Member Secretary further mentioned that in this regard, NBA sanctioned the Maternity Leave to the Young Professional and to the staff engaged on outsourcing basis in accordance with the Maternity Benefit Act. To this, the members also agreed unanimously that the maternity benefit should be given to all women staff irrespective of whether they are regular or non-regular staff.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.46: Notification on the appointment of Members of the National Biodiversity Authority**

The Member Secretary apprised the members that in exercise of the powers conferred by sub-section (4) of Section 8 of the Biological Diversity Act, 2002 (18 of 2003), the Ministry of Environment, Forest & Climate Change, Govt. Of India vide Gazette no.S.O.289(E) has appointed the members to the National Biodiversity Authority and has amended the notification of the Government of India in the erstwhile Ministry of Environment & Forests number S.O.1147(E) dated 1<sup>st</sup> October 2003.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.47: To consider Outsourcing of staff – Tender in GeM portal**

The Member Secretary informed the members that the NBA has only regular staff strength of 16. In this regard, NBA has engaged outsourcing personnel through outsourcing vendors to support the activities of NBA. He mentioned that the existing vendor has completed one year and hence he proposed that the NBA is in the process to



publish fresh tender to engage vendor to provide approximately 50 nos. of staff on outsourcing basis at Chennai and New Delhi through the GeM portal.

**Decision:** The Authority members noted the information in this regard.

**Action: Member-Secretary, NBA**

**73.48: Retention of Records**

The Member Secretary apprised the members on the steps taken by the NBA to formulate the Records Retention Schedule. He mentioned that this draft schedule was sent to the Archives of India (NAI) for review and concurrence. In response, NAI, has provided their approval and forwarded the "Prefactory Note" for reference. The Member Secretary further informed that the NBA will adhere to the NAI's approval to ensure full compliance with the Record Retention Schedule and take necessary actions to manage and dispose of outdated records in accordance with the established procedures.

**Decision:** The Authority members noted the information in this regard.

**Action: Member Secretary, NBA**

**73.49: Any other items with the permission of the Chair**

**73.50: To consider the addition in the qualification and experience for Young Professional**

Authority approved the additional agenda No. 73.50 for inclusion of the following criteria in the existing YP guidelines approved in the 69<sup>th</sup> authority.

**I Qualification**

**Fields of Study:** Life Sciences, Physics, Environmental Science, Engineering and Technology field are included apart from the existing qualification.



**ii Revised Experience and Qualification Period for Each Category:**

**YP I** (Scientific, Legal, Administrative, Accounts, System) – 6 years of total period for qualification and experience.

**YP II** (Scientific, Legal, Administrative, Accounts, System) – 8 years of total period for qualification and experience.

**YP III** (Scientific, Legal, Administrative, Accounts, System) – 11 years of total period for qualification and experience.

**Note:** If a candidate's background is excellent and performance is very good some relaxation can be given in the conditions stipulated.

The members suggested that in case of Engineering and other professional courses, the Under Graduation is for 4 years and in case of Law it is 5 years which should be taken in to consideration and the number of years of experience will vary accordingly.

In addition to the above, the authority members opined to include the phrase "**in the relevant field**" against the experience in the guidelines for each category.

**Decision:** The members agreed for the proposal with regard to revised qualifications and experience requirement of each of the category of YPs and to take into consideration the suggestion given by the members.

**Action: Member Secretary, NBA**

**73.51: Ratification of the report of the sub-committee held on 15.02.2025 for assessment of upfront payment levied for parental cum segregating lines & ABS @ 0.5% to the hybrids commercialized.**

The Member Secretary of the NBA explained the report of the sub-committee for authority ratification. the sub-Committee was constituted to examine the upfront payment & ABS for applications filed under the O.M. issued by the MoEF&CC for the three companies namely 1) H.M. Clause Private Limited, 2) East West Seeds India Private Limited & 3) Bayer Science and Innovation Private Limited (*formerly known as Monsanto Holdings Private Limited*) participated in the meeting. The applicant HM Clause India Private Limited had paid both the upfront payment and ABS to the NBA.



2. The second meeting was held on 09.12.2024 @ NBA, Chennai, on the request of Bayer Science and Innovation Private Limited, seeking clarification on the report submitted dated 26.03.2024 & 27.03.2024. The decision taken in the second meeting was informed to all three companies regarding re-assessed upfront payment for Parental & Segregated Lines and the ABS @ 0.5% to the hybrids commercialized. While, the East West Seeds India Private Limited requested the NBA for clarifications as there were some discrepancies in the total number of lines declared in the affidavit and the letter addressed to the NBA on 19.05.2023.
3. The calculation of the Upfront payment including the parental and segregating population during the second meeting of the Sub-Committee held on 09.12.2024 was based on the affidavit the applicant has submitted vide letter dt.19.05.2023 wherein there was no clarity as to "Parental lines + Segregating population = Total no. of lines". The affidavit dated 29.11.2023 provides clarity that Total no. of lines = parental + segregated population, i.e. 6719 segregating population + 966 parental lines = 7685 total lines.
4. The total no. of lines is 7685 and not 14,404 lines. The upfront payment would be Rs.2,30,55,000/- for Research. The upfront payment was calculated for the 7685 lines before the representative of the applicant and has been agreed upon. The sub-committee report was deliberated and ratified by the Authority members.

### Decision

- a) The Subcommittee report was ratified by the Authority and directed that the applicant M/s East West India Private Limited shall pay the upfront payment within 15 days of receipt of the decision.
- b) In addition, the Authority asked NBA to inform (1) East West Seeds India Private Limited & (2) Bayer Science and Innovation Private Limited (*formerly known as Monsanto Holdings Private Limited*) to pay the ABS @ 0.5% for commercialized hybrids and thereby to submit the Audited statement duly certified by the Chartered Accountant, failing which another meeting will be convened with the Sub - Committee Chair & Co-Chair in the Month of April,2025 to finalize the ABS payment.

**Action: Member Secretary, NBA**





**73.52 To consider the plea made by the Applicant M/s Evonik Operations GmbH-INBA1202305144**

The Member Secretary informed the members that the applicant (M/s Evonik Operations GmbH, Germany) being a Section 3(2) entity, filed Form I application dated 22.09.2023 seeking approval of NBA for access to biological resource (*Curcuma longa* L) for the purpose of commercial utilization, i.e., use of turmeric rhizome extract in cosmetics for skin care.

2. Since the applicant being a Section 3(2) entity accessed the biological resource and conducted research in 2007-2009, obtained intellectual property rights in the year 2008 in Germany, Great Britain and France and commenced commercial utilisation from 2011 to 2023 without obtaining prior approval of NBA as per Section 3 and Section 6 of the Biological Diversity Act, 2002, thereby contravening the provisions of the Act. The 69<sup>th</sup> Authority meeting considered this application and decided to keep the file in abeyance until the Amended Act and BD Rules, 2024 come into force and also directed to inform the same to the applicant. Subsequently, the decision of the Authority was conveyed to the applicant vide letter dt. 27.07.2024 and Applicant was directed to restrain from further commercialization under the application.

3. Attorney to applicant vide letter dt. 14.11.2024 submitted a plea for interim relief to *'allow the continuance of the applicant's business activities including commercial utilisation of the biological resource already procured and stocked by the Applicant. The applicant also requests an opportunity to be heard, to aid in granting of such interim relief.'* The applicant also mentioned that 5312 kg of value-added Turmeric products were commercialised from 2011-2023, and the applicant is in possession of around 1148 kg of the product derived from this biological resource which may be allowed for the continuance of the business activities.

4. Subsequently, NBA referred the issue to Dr.Hanchinal R.R., Subject Matter Specialist and Former Chairperson, PPVFRA for expert opinion, and in his opinion stated as follows: *"In this regard, the committee may be constituted to discuss the whole issue in detail with the applicant for clarification of issues with respect to the biological resources and the geographical region also in what form the biological resource was accessed and*



*the details of the sale of the end product. As the applicant is willing to discuss with the NBA, a meeting may be arranged to finalise the issue at the earliest"*

5. During the discussion, the members sought clarification on the source of access to biological resources, for which it was responded that the applicant accessed the turmeric rhizome extract from six traders, out of which one trader was from France and other one was from Germany, and the other four traders were from India. It was also clarified that these companies accessed the turmeric rhizome and extracted it. These firms are required to obtain approval from the SBB/NBA, depending on the entity's status under the Act. Members opined on the applicant's claim that, due to changes in the IT systems, sourcing data from suppliers was not available prior to 2017 may not be legally acceptable. Members were informed that the applicant had already utilized the biological resources and produced 1148 kg of a product derived from this resource, which needed to be sold alone, whereas he had already sold the remaining products.

6. It was stated that the benefit sharing for the commercial utilisation of biological resources is based on the annual gross ex-factory sale price of the product, regardless of the quantity of biological resources used.

7. Members, after having a discussion, decided that allowing the sale of around 1148 kg of the product derived from this biological resource by the applicant needs further scrutiny in terms of scientific and legal aspects.

**Decision:**

- a). Members decided to refer the application for a three-member committee comprising Dr. Hanchinal Rayappa Ramappa, Dr Joykumar Meitei Laishram, and Dr Gouri Joshi for further investigation of the application and requests made by the applicant in terms of scientific and legal aspects.
- b). The outcomes of the committee may be presented before the next Authority for consideration.

**Action: Member Secretary, NBA**



**73.53: To consider the project proposal submitted by the Andhra Pradesh state Biodiversity Board for raising and supplying of one Lakh Tall Red Sanders seedlings to farmers in the adjacent districts where Red Sanders are naturally growing areas, in association with the BMCs**

The members were informed that NBA developed a comprehensive policy for the protection, conservation and sustainable use of Red Sanders with the help of an Expert Committee on Red Sanders for utilizing the benefit sharing (BS) amount realised on access of Red Sanders wood. One of the recommendation made by the expert committee is *"cultivation of this species may be encouraged as trees outside forest (TOF) so that the demand for wood is met from cultivated source and thereby conserve the natural population. For this purpose, quality planting material needs to be raised from genetically improved sources and supplied to tree growers across several States in India at concessional rates or freely by the concerned State Forest Departments.*

2. Subsequently, NBA vide letter dated 02.03.2024 requested the APSBB to submit a plan for raising and supplying of one Lakh Tall Red Sanders seedlings to farmers in the adjacent districts where Red Sanders are naturally growing areas, in association with the BMCs. In response, the APSBB vide letter dated 29.03.2024 submitted a Project Proposal for Raising and supplying of one Lakh Tall Red Sanders seedlings to farmers in the adjacent districts where Red Sanders are naturally growing areas, in association with the BMCs in Andhra Pradesh to the tune of INR 5.53 crores seeking funds from NBA for the period of three years. It was informed that NBA referred the proposal submitted by the APSBB to Dr Hanchinal R. Ramappa and Dr. S. Balaji, IFS (Retd), for their opinion, and they submitted the report to the NBA on 14.07.2024.

3. The committee recommended that project *may be approved for an amount of INR. 3,58,23,700 (Raising of Nursery of 1m tall one lakh saplings -INR 33,82,800.00/- + Others including Planting, training, publicity & monitoring INR 3,24,40,900.00).* It was reported that the first instalment of the budget might be allocated for establishing nurseries at designated locations and conducting necessary awareness and training initiatives with the support of the APFD, universities, and BIOTRIM, as well as preparing videos, literature, and brochures as additional training materials. It was also recommended that the NBA establish an independent external monitoring committee to oversee the *overall*

monitoring and evaluation of the project. An amount of INR. 15 lakhs have been provided for this purpose in the recommended budget.

4. Thereafter, the report submitted by the experts was communicated to the APSBB for their comments on 18.07.2024 and also requested to submit an estimate for raising one lakh Red sanders seedlings about 6 feet in height only. Further, the APSBB vide email dated 25.07.2024 submitted the following two separate estimates along with justification of the proposals and comments on recommendations of two-member committee

- (i). Estimate for raising one lakh tall Red Sanders Seeding - **INR 1,34,14,500/-**
- (ii). Estimate for Transport of seedlings to Planting Site, planting and Maintenance of the Plantation – **INR 4,75,00,000/-**

5. NBA received a revised estimate for the raising One lakh Red Sanders seedlings to the tune of INR 2.00 Crore from the APSBB during the period of 2024-2025 to 2026-2027 on 05.08.2024 for consideration. NBA vide email dated 09.08.2024 requested the APSBB for Board's approval to the estimate for raising of One lakh number of Red sanders seedlings.

6. It was informed that the Member Secretary, APSBB, vide letter 23.01.2025, requested NBA for sanction of INR. 18.00 crore Benefit sharing amount accrued through the sale of Red Sanders wood from the State for implementing the five proposals in order to achieve the objectives of the Biodiversity Act 2002. It was informed that the proposal for raising seedlings in Red Sander-bearing districts of Andhra Pradesh, submitted by APSBB vide Rc.No. 1259/APSBB/2024, dated August 5, 2024, to the tune of INR 2.00 crore, was included as one of the proposals in the collective proposal submitted by APSBB.

7. The Chairman, NBA informed the members about views expressed by APSBB in the 4<sup>th</sup> meeting of the Expert Committee on Red sanders that the ABS amount accrued on access to Red sanders pertains to the State of AP and the same should be released to the concerned departments in Andhra Pradesh. The ABS amount shouldnot be kept



by NBA without disbursing it in time. Considering the practical situation, he suggested that not considering the APSBB proposal could lead to administrative issues and a rift between the NBA and APSBB. Therefore, it was suggested that out of the financial support of INR 18.00 crore sought by the SBB in its proposal dated 23.01.2025, the proposal which have a detailed estimate for raising one lakh Red Sanders seedlings to the tune of INR 2.00 crore may be considered initially.

8. After having heard, members expressed that infrastructure facilities are more necessary for the APSBB for undertaking the activity of raising Red Sander Seedlings. Since there are working difficulties with different departments in the field. Some members initially suggested that the sanctioning of the amount may be restricted under certain activities, such as infrastructure development and organising training and workshops. However, when the detailed proposal was presented and the estimate for training capacity building activities were for three years, the members agreed to release the money under these activities also.

9. The issue was discussed in detail by the Members and noted that the benefit sharing amount accrued on access to Red Sanders pertains to the state of AP, and APSBB also submitted justification for the elements that were opposed by the two-member committee. Members also noted that the project period is for three years. Members are also of the view that the proposed activity would aid in the conservation of natural Red Sanders and increase the livelihood of the farmers. Consequently, the proposal submitted by the APSBB for a sum of Rs 2.00 crore was approved by the members, and also decided that the NBA may monitor the utilisation of the benefit-sharing amount periodically.

**Decision:**

- a). Members approved the proposal submitted by the APSBB for a sum of INR 2.00 crore to raise one lakh Red Sanders seedlings, subject to the submission of a Utilization Certificate, Statement of Expenditure, and an annual progress report after the release of the amount.





- b). The Authority authorised the Chairman, NBA, to release the said amount to the Andhra Pradesh State Biodiversity Board.
- c). Members decided that NBA may monitor the utilisation of the benefit-sharing amount periodically.

**Action: Member Secretary, NBA**

**73.54: To consider the proposal submitted by Andhra Pradesh Forest Department for reallocation of Rs.50.00 lakh to the sub-component "Camping Facility for Front-line Staff for Red Sanders Protection" to improve existing infrastructure at Tirumala from the available funds (Rs.3.40 crore) under the component of the "Procurement of the Tree Transplant Machine".**

The Member Secretary, NBA, informed the members that the NBA had developed a comprehensive policy for the protection, conservation and sustainable use of Red Sanders with the help of an Expert Committee on Red Sanders for utilizing the benefit sharing (BS) amount realised on the access to Red Sanders wood. Andhra Pradesh Forest Department (APFD) is one of the major stakeholders that would receive the benefit sharing component as the red Sanders are naturally occurring in the forest areas of different districts in Andhra Pradesh.

2. It was informed that Andhra Pradesh Forest Department vide letter EFS02-17/2019/Vig-2 dated: 22/01/2020 had submitted a revised proposal for the Red Sander protection for the year 2019-2020 along with justification for each proposed components in the project proposal. The proposal from APFD was considered by the 55<sup>th</sup> Authority, held on 12/03/2020, and was decided to release the amount a sum of INR 31.55 crore to the AP Forest Department directly as given below:

- a) **Rs1.00 (one) Crore** -towards Training and capacity building of staff and communities.
- b) **Rs 1.00 (one) Crore-** Community oriented economic activities like Health, Education, Renewable Energy, Water Supply etc. for people living inside and on fringes of Red Sanders (RS) protected/ Reserved Forests & Wildlife Sanctuaries.

- c) **Rs 10.00 (ten) Crore** -towards for research and development to Academic and Research Institutions, silviculture wings of Forest Department and establishing National Level Institute named- "Indian Institute of RS & Biodiversity of Eastern Ghats" with headquarters at Tirupati (S.no.17(b) of the proposal) after obtaining statutory approvals.
- d) **Rs 15.00 Crore** -towards (1) Regeneration of Red Sanders; (2) to promote artificial propagation on farmers' fields as a component of agro-forestry; raising of quality Red Sander's seedlings for free public distribution; Seed stand / seed orchard; and (3). Raising of RS trees on government-owned institutional lands and on municipal parks, avenue plantations, etc., as a part of urban forestry programme.
- e) **Rs 55.00 lakh** -towards for conducting activities of Communication, Education and Public Awareness (CEPA); Incentives and awards for conservers of Biodiversity and promotion of sustainable trade of Biological resources; Publicity materials / publications, training and capacity building, consultations.
- f) **Rs 4.00 (Four) Crore** -towards procurement of the tree transplant machine

3. Accordingly, NBA, vide sanction order dated 02/07/2020, released a sum of 31.55 crore to the APFD, which includes INR. 4.00 crore towards "procurement of tree transplant machine". Thereafter, APFD, vide letter Ref. no. 17/2019/Vig-2, dated 17/05/2023, requested the inclusion of the sub-component "Renovation & Improvement of Forest Rest House (TGP), Tirupati" under the component "Procurement of Tree Transplant Machine" and utilized INR 60.00 lakhs for the purpose. Subsequently, NBA vide letter dated 19/07/2023 conveyed to the APFD that the Competent Authority has agreed to the request made by the APFD for inclusion of the sub-component, "Renovation & Improvement of Forest Rest House (TGP), Tirupati" under the component of "procurement of tree transplant machine" and utilize INR. 60.00 Lakhs for this purpose. The deviation of allowing the APFD to spend INR 60.00 lakhs on renovating the guest house, adding more floor area, out of the INR 4.00 crore sanctioned already for the purchase of tree transplant machine was also ratified by the 69<sup>th</sup> Authority (Agenda no.69.14).

4. The Members were informed that the PCCF, AP Forest Department vide letter dated 30/07/24 requested NBA for deviating an amount of INR.50.00 lakhs for establishing camping facility for frontline staff for Red Sanders protection at Tirumala under the component of the "procurement of the tree transplant machine". In response,

the NBA vide email dated 08/08/24 requested that APFD submit a request for revalidation of the unspent amount for FY 2024-25 and submit a UC for the amount utilized by APFD (amount released: Rs. 34.55 Crore).

5. He also informed that APFD submitted the Utilization Certificate to NBA on 07.10.2024, after issuing reminders from time to time by the NBA. He also mentioned that out of Rs 31.44 crore released as a sharing component to the APFD, the APFD has submitted that it has utilised Rs 21.71 crore, and the remaining Rs 12.84 crore is yet to be utilised, for which a request for revalidation has been made to this office.

6. It was informed that the Chairperson, NBA has also visited Tirumala where the APFD proposed to establish a camping facility for frontline staff to protect Red Sanders at Tirumala on 12/03/25 and discussed the matter with the forest officials.

7. On being heard, Members sought clarification on whether the improvement of the camping facilities is supported under the benefit sharing amount. The Chairman, NBA informed that NBA developed a comprehensive policy for the protection, conservation and sustainable use of Red Sanders with the help of an Expert Committee on Red Sanders for utilizing the benefit sharing (BS) amount realised on access of Red Sanders wood. The list of activities recommended by the Expert committee under the modalities given in Annexe-17 includes to *forest Dept. for procurement of vehicles for front-line staff (four-wheel drive mini vans / Jeeps / SUVs, tents and camping equipment's etc. for field functionaries, (B) Arms (advanced/ Modern), Ammunition, first aid equipment's, satellite phones, mobile phones, drones, and wireless equipment's; Modernization and up gradation of check posts with PC; Establishing patrolling stations / anti-smuggling camps inside forest areas, and **Strengthening the existing base camps, strike forces, G. Repairs and maintenance of forest rest houses.***

8. He also added that based on the proposal given by the APFD, the NBA has already sanctioned Rs 4.00 crore (Four Crore) towards the procurement of the tree transplant machine for the APFD in year 2020. However, APFD decided not to procure tree transplanting machine. . During the visit, the officials stated that establishing a camping facility for frontline staff at Tirumala is necessary to facilitate frequent patrolling in



smuggling-prone areas and curb smuggling activities, thereby protecting and conserving the natural Red Sanders. For this purpose, the APFD requested the NBA to allow the deviation of available funds under the tree planting machine component to another component and not seeking new funds. He also pointed out that the non-utilisation of the benefit-sharing amount by the APFD leads to the non-release of further ABS funds by NBA to them.

9. Members considered the agenda and approved for the deviation of INR 50.00 lakhs for establishing a camping facility for frontline staff at Tirumala for Red Sanders protection under the component of the “procurement of the tree transplant machine” by the APFD.

**Decision:**

- a). Members approved the proposal of the Andhra Pradesh Forest Department for the deviation to spend INR 50.00 lakhs for establishing a camping facility for frontline staff at Tirumala for Red Sanders protection, out of the INR 4.00 crore already sanctioned for the “procurement of the tree transplant machine.
- b). Members decided that the Andhra Pradesh Forest Department may be advised to revise its earlier proposal in accordance with the current needs, as per the report of the EC on Red Sanders, and submit it to the NBA for consideration.

**Action: Member Secretary, NBA.**

<b>73.55: Information of expenditure statement vs sanctioned grant-in-aid for the financial year 2024-25</b>
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The Member Secretary informed the members that the National Biodiversity Authority gets Grants-in-Aid from the Government of India, through the MoEFCC every year. For the Financial year 2024-25, a demand of grants was projected for a sum of Rs.25.00 crores with the justification. However, the Grants in Aid in various heads as indicated below was sanctioned by the MoEFCC for a total sum of Rs.16.00 crores.

The Details of the GIA received and expenditure incurred upto 20-03-2025 under various heads are as below:

HEAD OF GRANTS	RE-VALIDATED	GRANTED FOR 2024-25	TOTAL RELEASED +RE-VALIDATED	TOTAL EXPENDITURE AS ON 20-03-25	BALANCE AVAILABLE
GIA-SALARY	35,96,505	3,55,00,000	3,90,96,505	3,46,58,392	44,38,113
GIA-GENERAL	7,246	9,45,00,000	9,45,07,246	9,44,79,613	27,633
GIA- PBR & BMC	112	50,00,000	50,00,112	18,57,665	31,42,447
GIA-SBB	3,162	2,50,00,000	2,50,03,162	2,49,95,957	7,205
TOTAL	36,07,025	16,00,00,000	16,36,07,025	15,59,91,627	76,15,398

However, an additional grant of Rs.1.00 crore is expected to be released soon under GIA-General.

**Decision:** The Authority members taken note of the information in this regard.

**Action:** Member Secretary, NBA

The meeting ended with a vote of thanks from and to the chair

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**Annex-I**

**List of participants present on 21.03.2025**

1. **Shri C. Achalender Reddy, IFS (Retd.)** Chairperson, National Biodiversity Authority, Chennai E-mail: chairman@nba.nic.in
2. **Shri. Raghu Kumar Kodali**, Advisor, CS-III Division, Ministry of Environment Forests Climate Change, New Delhi E-mail: kodali\_rk@gov.in
3. **Shri. Rajesh S**, Inspector General of Forests, Ministry of Environment Forests Climate Change, New Delhi E-mail: rajesh.skumar@gov.in
4. **Dr Anil Kumar Vijayan**, Scientist E, Ministry of Earth Sciences, Prithvi Bhawan, opposite India Habitat Centre, Lodhi Road, New Delhi Email: srivastava.pks@gov.in; anilkumar.v@gov.in
5. **Dr. Koustubha Upadhyaya**, Advisor (Ayurveda) Ministry of Ayush, New Delhi E-mail: adviser-ayush@gov.in
6. **Dr. Modhumita Dasgupta**, Scientist-G, ICFRE-Institute of Forest Genetics and Tree Breeding, Coimbatore Em-mail: ghoshm@icfre.org
7. **Dr. Lipika Patnayak**, Senior Principal Scientist IPU, Council of Scientific & Industrial Research, New Delhi Email: vmalsaw@csir.res.in
8. **M. Gunasekaran**, Deputy Commissioner (Seeds), Department of Agriculture and Farmer's Welfare, Ministry of Agriculture and Farmer's Welfare, New Delhi Email: gunasekran@nic.in
9. **Shri R. N. Meena, IFS**, CCF & Rajasthan Biodiversity Board, 1st Floor, Aravali Bhawan, Jhalana Institutional Area, Jaipur, Rajasthan 302004. E-mail: ms.rsbb@rajasthan.gov.in, rajsbb@rajasthan.gov.in
10. **Shri Vijendra Singh Malik, IFS**, PCCF & Member Secretary, Tamil Nadu Biodiversity Board, TBGP- Office Complex, II floor, Velachery - Tambaram main Road, Nanmangalam, Medavakkam Post, Chennai - 600100, Tamil Nadu. E-mail : secy.tnbb@tn.gov.in
11. **Dr. B. Balaji, IFS**, Member Secretary, NBA, 5th Floor, TICEL Bio Park, CSIR Road, Taramani, Chennai - 600 113 Email: secretary@nba.nic.in

**No official members**

12. **Dr. Alka Rao**, Advisor (Regulation, Science & Standards) on deputation at Food Safety and Standard Authority of India, New Delhi-110002, Email: rao.alka@fssai.gov.in,

& Senior Principal Scientist, CSIR Institute of Microbial Technology, Chandigarh-160036  
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13. **Dr. Joykumar meitei Laishram**, Retired Professor and Dean, Keishamehong Longjam Leikai, 84C, Imphal, Manipur 795004 Email: [jmlaishram@rediffmail.com](mailto:jmlaishram@rediffmail.com)

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15. **Shri Hanchinal Rayappa Ramappa**, 142, MIG-II, KHB Colony, DN Koppa, Dharwad-581118 Email: [rrhanchinal@rediffmail.com](mailto:rrhanchinal@rediffmail.com); [nhanchinal@gmail.com](mailto:nhanchinal@gmail.com)

**List of participants present on 22.03.2025**

1. **Shri C. Achalender Reddy**, IFS (Retd.) Chairperson, National Biodiversity Authority, Chennai E-mail: [chairman@nba.nic.in](mailto:chairman@nba.nic.in)

2. **Shri. Raghu Kumar Kodali**, Advisor, CS-III Division, Ministry of Environment Forests Climate Change, New Delhi E-mail: [kodali\\_rk@gov.in](mailto:kodali_rk@gov.in)

3. **Shri. Rajesh S**, Inspector General of Forests, Ministry of Environment Forests Climate Change, New Delhi E-mail: [rajesh.skumar@gov.in](mailto:rajesh.skumar@gov.in)

4. **Dr Anil Kumar Vijayan**, Scientist E, Ministry of Earth Sciences, Prithvi Bhawan, opposite India Habitat Centre, Lodhi Road, New Delhi Email: [srivastava.pks@gov.in](mailto:srivastava.pks@gov.in); [anilkumar.v@gov.in](mailto:anilkumar.v@gov.in)

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