



PROCEEDINGS
75th AUTHORITY MEETING
13.10.2025

Venue

Basmati Hall, NASC Complex, ICAR

New Delhi

NATIONAL BIODIVERSITY AUTHORITY
Chennai

Proceedings of the 75th Authority Meeting of the National Biodiversity Authority held on 13th October 2025 at Basmati Hall, NASC Complex, ICAR, New Delhi

The 75th Authority of the National Biodiversity Authority (NBA) was held on 13 October 2025 at Basmati Hall, NASC Complex, ICAR, New Delhi under the Chairmanship of Shri Virendra R Tiwari, 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. He informed the members about the achievements of the former Chairperson, Shri. C. Achalender Reddy, IFS (Retd.). He further welcomed the incumbent Chairperson, Shri Virendra R Tiwari, IFS (Retd.), on his first Authority meeting with a potted plant.

3. The Authority members welcomed the Chairperson and informed that they would cooperate in all matters and appreciated the efforts taken by the previous Chairperson and Secretary.

4. The Member Secretary made a detailed presentation on the agenda items, which are as follows:

75.01: Confirmation of the Proceedings of the 74th Authority meeting

The draft Proceedings of the 74th meeting of the National Biodiversity Authority held on **10.06.2025-11.06.2025** at Basmati Hall, NASC Complex, ICAR, New Delhi were circulated to the members *via* e-mail dated 27.06.2025 to seek their comments, and a few of the members provided their comments, which were incorporated accordingly. The members unanimously agreed to confirm the Proceedings of the 74th Authority meeting.

Decision: The Proceedings of the 74th Authority Meeting were confirmed.

75.02: Action Taken Report of the 74rd Authority Meeting

The Member Secretary explained the actions taken based on the decisions of the 74th Authority Meeting.

2. Against agenda Item 74.04: *“To consider the issue of export of Bulk Biological*

Resources by Section 7 persons.”, it was informed that as there is no explicit provision in the BD Act for Indians (Section 7 person) seek approval of NBA / SBB to export the biological resources to user (Section 3(2) person), the NBA Secretariat informed the DGFT, Ministry of Commerce to incorporate a suitable clause in their Standard Operating Procedures and other relevant documents for the users of biological resources to obtain necessary approval from the NBA for accessing the biological resources. In this regard, the Member Secretary, Arunachal Pradesh State Biodiversity Board (APSBB) vide email dated 23.10.2025 provided comments and informed that APSBB will submit its stand for further discussion in the forthcoming Authority meeting. The comments are placed as **Annexure II**.

3. During the discussion, one of the members opined that the assessment of environmental impact has been provided under section 36 of the Act whereas the EIA (Environment Impact Assessment) is well covered under the Environment (Protection) Act 1986. In the EIA, floral and faunal assessment is also one of the requirements. Hence, it was suggested that the provision given under the BD Act may be referred to the Ministry for amendment. The authority decided that on receipt of a proposal from the stakeholders, the issue can be considered.

4. Further, the Chairman, NBA, informed the members that the Agenda item No. 74.08 – *“To consider the Eligibility and Entitlement of Travelling Expenditure for the Non-Regular Personnel for Official Tours”* will be withdrawn. To this, the members agreed to the decision of the Chairman.

5. The Member Secretary further explained that the agenda items 74.10 and 74.11 viz. (i) *To consider the proposal on DST - SHRI (Science and Heritage Research Initiative) Scheme* and (ii) *Reconsideration of Non-Disclosure Agreement (NDA)* may be deferred as there is a need for legal clarity and these Agenda items will be placed in the subsequent Authority meetings.

6. The members deliberated on the agenda item no 74.31.2- *“Avoidance of*

potential conflicts of interest and legal implications under the BD Act as amended". The Member Secretary informed the members that as it is the Government's prerogative to appoint the Adjudicating officer, the agenda is proposed to be withdrawn. The members opined that if there has been a conflict of interest when Secretaries to the State Ministry/Department of Environment and Forests, who are also mostly the members/chairman of the State Biodiversity Boards, also serve as the Adjudicating Officer under Section 55A, the same may be informed to the MoEFCC. In this regard, the members deliberated that such issues may be taken up when an affected party communicates their grievance on this issue. Hence, the Chairman of the NBA informed that this agenda item may be withdrawn, to which the members agreed.

Decision:

- a) The actions taken by the NBA on decisions taken in the 74th Authority meeting were noted by the members.*
 - b) The Members decided that Agenda Item 74.04 may be reconsidered on receipt of any proposals from the stakeholders. The NBA Secretariat may maintain the status quo for dealing with the applications.*
 - c) The Authority members decided that the NBA Secretariat shall withdraw the Agenda item no. 74.08 and 74.31.2.*
 - d) The Authority members decided that the Agenda items 74.10 and 74.11 shall be deferred to subsequent authority meetings as there is a need for legal clarity on the matter.*
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75.03: To consider the draft Annual report of NBA for the year 2024-25

Member Secretary informed the members that the draft annual report on the activities and achievements of NBA for the year 2024-25 has been compiled and is placed for consideration. He further informed that the Audit Report from the C&AG is awaited to be attached to the Annual Report. It will then be forwarded to the MoEF&CC for placing on the table of the Parliament.

Decision: The Authority approved the draft Annual Report 2024-25 and directed the NBA to forward the same to the MoEFCC after incorporating the Audit Report from the C&AG for placing on the table of the Parliament in *both the Houses*.

Action: Member Secretary

75.04: To consider the Annual Accounts for the year 2024 - 25

The Member Secretary informed the members that as per Authority decision in 13th Authority meeting *vide* Agenda 13.15 “Chairman, NBA is authorized to approve the “Annual Accounts comprising of receipts and payment account, income and expenditure accounts and balance sheet” for the conduct of statutory audit by O/o. Director General of Audit, Indian Audit and Accounts Department, Environment and Scientific Departments, Chennai. Accordingly, the Annual Accounts of NBA for the year 2024 - 25 approved by Chairman, NBA and the same has been submitted to the Audit. In this regard, the Annual Accounts for the year 2024-25 is placed before the Authority for ratification.

Decision: The Authority ratified the NBA Annual Accounts for the year 2024-25

Action: Member Secretary

75.05: To consider the proposal of the three institutes as a repository under Section 39 of the Biological Diversity (Amendment) Act, 2023

The members of the Authority were informed that the MoEFCC, in consultation with the NBA, has designated 18 national institutions and other organizations from time to time as repositories for the safe custody of specimens of biological resources accessed under the provisions of the Biological Diversity Act.

2. In this context, the Member Secretary, NBA informed that pursuant to the decision taken in the 74th Authority meeting under agenda item No. 74.13, the NBA had constituted a Committee *vide* office order No. F. No. 2/23/2006/Admin/25-26 dated 21st

June, 2025 under the Chairmanship of Dr. Hanchinal R. Ramappa to undertake field visits and assess the proposals for designating the following institutions as repositories:

- (a) TDU Herbarium, University of Trans-Disciplinary Health Sciences and Technology, Bengaluru;
- (b) Referral Centre “Bhavasagara” at CMLRE, Kochi; and
- (c) MACS Collection of Microorganisms and National Fungal Culture Collection of India (NFCCI) at Agharkar Research Institute, Pune.

3. The Committee recommended that among the three institutions visited, the following two institutes possess adequate infrastructure and facilities to be designated as national repositories under Section 39 of the Biological Diversity Act, 2002:

- I. MACS Collection of Microorganisms and National Fungal Culture Collection of India (NFCCI) at Agharkar Research Institute, Pune; and
- II. Referral Centre “Bhavasagara” at CMLRE, Kochi.

4. The committee has not recommended to designate the TDU’s FRLHT Herbarium, as TDU is not publically funded which is one of the criteria for designation. Also their infrastructure needs upgradation to the meet out the standards.

5. Authority decided that the guidelines issued for the designated repositories may be reviewed by the three- member committee comprised of Dr. Hanchinal R. Ramappa, Dr. Joykumar Meitei Laishram and Dr. Gouri Joshi in light of the amendments to the Biological Diversity (Amendment) Act, 2023, Biological Diversity Rules, 2024, and BD (ABS) Regulations, 2025. The committee shall complete the review and submit the report within 15 days from the date of constitution of the committee.

Decision:

Authority directed the NBA Secretariat to

- *Convey its recommendation to MoEFCC to designate two institutes i.e, Agharkar Research Institute and CMLRE.*
 - *Inform the decision of the Authority to the TDU-FRLHT.*
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- *Refer the guidelines for National repositories to the three members committee to review in light of the amendments to the BD Act / Rules / Regulations within 15 days from the date of communication from the Secretariat.*
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Action: Member Secretary

75.06: To consider referring the contravention applications under the Biological Diversity (Amendment) Act, 2023 to the Adjudicating Officer

Members observed that the Secretariat needs to provide necessary manpower to the office of the Adjudicating Officer for conducting the proceedings against the contravention cases. It was decided that the manpower and other procedures shall be put in operation by December 2025 for the smooth functioning of the Adjudicating Officer. The member from the MoEFCC informed that w.r.t violation cases prior to the amendment of the Act, the legal opinion received from ASG through NBA will be forwarded to the Ministry of Law and Justice for opinion.

2. Authority considered the proposal of the Secretariat and authorized the Member Secretary, NBA to refer the contravention cases post 1st April 2024 when the Biological Diversity (Amendment) Act came into force, to the Adjudication Officer, with due approval of the Chairperson, NBA.

Decision: *Members authorized the Member Secretary, NBA to refer the contravention cases which fall under the amended Act to the Adjudication Officer, with due approval of the Chairperson, NBA.*

Action: Member Secretary

75.07: To consider EC on Red Sanders Report 2.0

The Member Secretary apprised the Authority that the Expert Committee on Red Sanders was reconstituted vide office order dated 16.09.2023 to review the implementation status of the earlier recommendations made by the Expert Committee in

its report submitted in 2017 and to suggest modifications thereof in light of amended BD Act / Rules / Regulations and other related matters. He informed that the EC made six sittings and submitted the report to the NBA.

2. The members deliberated on the report and placed on record, its appreciation to the expert committee Chair Shri B. Vijayan, IAS (R)., Former Chief Secretary, Goa, Co-Chair Shri P. Mallikarjuna Rao, IFS(R) and members of the committee to bring out comprehensive recommendations on various matters related to Red Sanders in the version 2.0. The recommendations of the EC were briefed to the Members for consideration.

3. The Member Secretary informed that authority that the NBA had given the task of DPR preparation for the proposed "Indian Institute of Red Sanders and Biodiversity of Eastern Ghats" to Dr RSC Jayaraj, IFS(Retd.). In the DPR, it was suggested to upgrade the BIOTRIM into State Forest Research Institute, rather than an Institute to cater only for research on red sanders. The authority members deliberated and arrived at a conclusion that it is the prerogative of the Andhra Pradesh State to decide based on its priorities. Hence, the authority suggested to forward the report to Andhra Pradesh Forest Department to take a suitable action in this regard. The member from Ministry of Ayush *vide* email dated 24.10.2025 mentioned that the Annexure VII of the Agenda was not circulated and the same was provided by NBA Secretariat *vide* email dated 24.10.2025. He further informed that he would provide his observations on the Report of Expert Committee on Red Sanders.

Deliberations and Decision:

- a) *The Authority reviewed its decision taken in the previous meeting on the earmarked amount to NBA on the accrued ABS amount. The earmarked amount for NBA on the accrued benefit sharing component to be deducted @ 5% from the ABS amount collected till 20th December 2024 and @ 12% to be deducted from 21st December, 2024. On a case by case basis, the half of the earmarked amount may be shared with the SBBs/UTBCs.*
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- b) *W.r.t recommendation on **50% of the interest amount** to be shared with concerned stakeholders, it was noted that this Authority from time to time give directions to the NBA secretariat to utilize the money for various purposes like undertaking conservation of biological resources, training and capacity building to BMCs and other stakeholders, documentation of PBRs. It was also noted that 65th Authority meeting held in May 2022 directed the Secretariat to utilize the interest component for constructing the office building for NBA. Taken note of the previous decisions, the Authority decided that the decision on disbursement of interest can be taken up in the subsequent Authority meetings after the disbursal of the Principal amount.*
 - c) *Authority directed that, hence forth, the secretariat shall disburse the ABS amount received during the quarter, in the immediate next quarter, where the NBA received detailed information for the disbursement of the same to the benefit claimer.*
 - d) *Authority was apprised of the concerns raised by Andhra Pradesh Forest Department and Andhra Pradesh SBB on the share of ABS component. AP Forest Department seeks 95% of the ABS amount accrued from the seized/confiscated red sanders to be shared with the Forest Department, whereas the SBB informed that they are also eligible to get the ABS amount. Member Secretary, NBA informed the Members that few BMCs have also written letters to NBA seeking 95% share of the ABS component. He also mentioned that a communication has been received from the Special Chief Secretary, Government of Andhra Pradesh to share the ABS due to AP SBB at the earliest.*
 - e) *After having detailed deliberation on the above referred matter, the Authority opined that the forest department is the custodian of the Forest land where the red sander trees are grown. Further, the seized/confiscated red sanders are from forests only. Further, the ABS component is realized from the confiscated / seized Red Sanders wood caught by Forest Department and other enforcement agencies. Hence, the Authority decided that 95% (before amendment) or 88% (post amendment) of the share, as the case may be, shall be given to AP Forest Department baring the committed expenditure on the ABS component. Authority directed the Secretariat to share the EC's Report to the concerned Forest Departments for undertaking the broader activities provided as suggested including sharing the ABS money with SBB and other agencies/institutions for the purpose. It was also clarified that the earlier decision taken in the 73rd Authority (Agenda item No.73.53) on the disbursement of ABS from red sanders to Andhra SBB will not be affected.*
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- f) *The disbursement of ABS amount under different categories of the stakeholders, as recommended in the report under Table-9, was approved.*
 - g) *ABS share due for farmers / cultivators/Institutions shall be routed through the concerned SBB.*
 - h) *Checklist for the applicant and procedure for processing the applications by NBA related to confiscated and cultivated RS wood were approved by the Authority.*
 - i) *Uniform format for furnishing the details of cultivators of RS in the Certificate of Origin to be issued by the Forest Department was approved. The same may be forwarded to the concerned Forest Departments for providing the CoO in the given format.*
 - j) *EC's recommendation on allowing the export of biological resources by Indian traders / farmers was not approved by the Authority as there is no provision in the Act.*
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Action: Member Secretary

75.08: To consider the modalities for sharing the benefit-sharing amount as per Rule 21(4) of the Biological Diversity Rules, 2024 and BD (ABS) Regulations, 2025

Member Secretary, NBA informed the members that in the 74th Authority under agenda no. 74.05, this matter was discussed and approved the sl.no. 1 scenario in the table given below ie., “*Source of biological resource & associated knowledge thereto*” and deferred this agenda to the next meeting to consider remaining two scenarios. Accordingly, the matter is placed before the Authority for consideration.

S. No.	Scenario	Benefit sharing component to be shared	Charges to be retained by the NBA (preferably 12%) as per Rule 21(4) of the BD Rules, 2024	
			SBB/UTBC	NBA
1	Source of biological resource & associated knowledge thereto is known	88% (to be shared with benefit claimer)	6% (on a case by case basis)	6%

2	Biological resource accessed from Trader / supplier	88% (to be shared with SBB from where the trader/supplier is located)	-	12%
3	Source of the Biological resource & associated knowledge is unknown	88% (to be retained by NBA and used as per Section 27)	-	12%

2. Few members felt that sl.no. 2 on the above table – the biological resources may not be available in the farm / wild from the same State where the trader / supplier is located. In that case, one particular state cannot become a rightful benefit claimer for the ABS component. After detailed deliberations, the Authority decided that the ABS component (95% or 88%) shall be retained by NBA and utilize for the purpose given under Section 27 of the Act and read with Regulation 12 of ABS Regulations 2025. If required, the modalities for utilizing such funds may be devised by NBA.

3. Authority reiterated that NBA secretariat shall deduct 5% or 12% of the earmarked amount from ABS component as per the BD Rules 2004 or BD Rules 2024, as the case may be as mentioned in the previous agenda **75.07 (a)**.

4. Member Secretary informed the authority members that as on date, NBA has released to the tune of Rs.60.44 Crores to the beneficiaries. Further, he also informed that the Authority in 2023 decided that ABS money has to be deposited in the beneficiary accounts directly, especially farmers / cultivators of Red Sanders. Despite several attempts to obtain their details of bank account, the same has not yielded any result in the field due to various reasons. Hence, the authority may allow the NBA Secretariat to release the amount to the SBB/UTBC for onward transmission to the beneficiaries.

5. Further, Members were apprised that the National Biodiversity Fund is administered by the Authority in accordance with Rule 11(a) of the BD Rules, 2024.

Rule 21(1) of the BD Rules, 2024 stipulates that the National Biodiversity Fund shall be operated by the Chairperson or by such other officer of the Authority as may be authorised in this regard. In view of the above provisions, it was proposed that the Chairperson, NBA, may be authorised to operate the National Biodiversity Fund and release the benefit-sharing amount to the eligible benefit claimers.

6. Authority considered the above two proposals of the Secretariat and approved the same.

Decision:

Authority decided the following modalities for sharing the benefits with beneficiaries.

S. No	Scenario	Benefit sharing component to be shared as per the BD Rules 2004 and 2024, as applicable	Charges to be retained by the NBA as per BD Rules 2024 (from 21 st December 2024)		Charges to be retained by the NBA as per BD Rules 2004 (till 20 th December 2024)	
			SBB/UTB C	NBA	SBB/UTBC	NBA
1	Source of biological resource & associated knowledge thereto is known	88% or 95% (to be shared with benefit claimer)	6% (on a case by case basis)	6%	2.5% (on a case by case basis)	2.5%
2	Biological resource accessed from Trader / supplier	88% or 95% (to be retained by NBA as per regulation 12 and used as per Section 27)	-	12%	-	5%
3	Source of the Biological resource & associated knowledge is unknown	88% or 95% (to be retained by NBA as per regulation 12 and used as per Section 27)	-	12%	-	5%

b) Authority authorized the NBA Secretariat to release the amount to the SBB/UtBC for onward transmission to the beneficiaries (BMC/community/organization).

c) In exercise of powers conferred under Section 16 of the Act and read with Rule 21 of the BD Rules 2024, the Authority authorized the Chairperson, NBA to operate the NBF A/c and also disburse / utilize the ABS amount for the

activities referred under Section 27 of the Act and directions given by this Authority from time to time to the Secretariat.

Action: Member Secretary

75.09: Seeking guidance on acceptance of ABS amount from the applicant

Members were informed that the *ICAR – Indian Institute of Oilseeds Research* (IIOR), a Section 7 entity, submitted a Form-II application on 16th October, 2023 [Application No. INBA2202305197] seeking approval of the NBA for transfer of results of research obtained from the access of biological resource *Bacillus thuringiensis* var. *kurstaki* to a Section 3(2) entity, *M/s. Coromandel International Ltd.*, for mass-scale production of biopesticide formulation.

2. On scrutiny, it was observed that *the applicant had already transferred the biological resource along with the technology (i.e., technology for mass production of the Bt isolate through solid state fermentation)*. It was also noted that the applicant, being a Section 7 entity, transferred the results of research to a Section 3(2) entity without obtaining prior approval of the NBA, thereby contravening the provisions of Section 4 of the Biological Diversity Act, 2002.

3. The 69th Authority meeting held on 28th March, 2024 (Agenda Item 69.05), decided that *“the application shall be kept in abeyance until the Biological Diversity (Amendment) Act, 2023 and the amended Rules come into force. The same may be informed to the applicant.”* Accordingly, this office vide letter dated 08th August, 2024 conveyed the decision of the Authority to the applicant.

4. The applicant vide letter dated 20th May, 2025 submitted a Demand Draft (No. 525989 dated 16th May, 2025) for an amount of INR 12,000.00 towards the benefit-sharing (BS) payment for commercialization of the DOR Bt-1 technology to *M/s. Coromandel International Ltd.*

5. In this regard, the NBA Secretariat sought guidance of the Authority whether to accept the financial instrument (DD) or to return the same to the applicant keeping in view of the application falls under contravention of the provisions of the BD Act. It was also informed that the DD validity period got lapsed.

Decision:

Authority directed the NBA Secretariat to inform the applicant that the financial instrument was not accepted in view of the contravention of the provisions of the Act and to return the DD back to the applicant.

Action: Member Secretary

75.10: Seeking guidance to deal with Form-III Disbursement of ABS Amount Received in Form – III IPR Applications.

The Member Secretary informed the members that a total of Rs. 68,80,011.58 for the financial years 2012 to 2025 from 59 IPR applications under Form – III filed under The Biological Diversity Act, 2002. He mentioned that for the distribution of the above amount, 5% of the ABS will be retained by the NBA and the remaining funds be distributed to the identified benefit claimants.

2. He further mentioned that the disbursement of the ABS amount would be made to the benefit claimers as mentioned in the table given below. The members deliberated on the proposal placed in this regard and mentioned that the benefit sharing amount received from applicants who have sourced from traders/ Suppliers/ Market may be retained by NBA and utilized as per Section 27(2) of the BD Act as the source of the bioresources are unknown. Secondly, the members suggested to use the term local communities in place of indigenous communities.

S. No.	Source of Bio-resources	Proposed Benefit Claimers
1.	Institutions/ Universities (Private/Government)	Concerned Institutions/ Universities (Private/Government) via Concerned State Biodiversity Board/ Union Territory Biodiversity Council (SBB/UTBC)

2.	Traders/ Suppliers/ Market	ABS amount will be retained by NBA and utilized as per Section 27(2) of the BD Act
3.	Cultivated/ Wild (Other than Forest)	Farmer/ cultivator/ concerned BMC (if known) via Concerned State Biodiversity Board/ Union Territory Biodiversity Council (SBB/UTBC)
4.	Local Communities	Concerned Communities via SBB/UTBC
5.	Wild from Forest	Concerned Forest Division through concerned State Forest Department

Decisions:

a) *The Authority members decided that the benefit sharing amount received from applicants who have sourced from traders/ Suppliers/ Market shall be retained by NBA and utilized as per Section 27(2) of the BD Act as the source of the bio resources are unknown. Further the members approved the modalities of disbursement of the benefit sharing amount received from Form – III [old] IPR applications.*

b) *The Authority members decided that the accrued benefit sharing amounts for Form – III IPR applications (old) may be shared with the benefit claimers after deducting five (5%) percentage of the assessed benefit for the Authority or Board towards administrative and serve charges as per Rule 20(9) of the Biological Diversity Rules, 2004.*

c) *The members approved that the accrued benefit sharing amounts for Post – amendment, new IPR Form– 7 & Form – 9 IPR applications shall be shared with the benefit claimers after deducting twelve (12%) percentage of the amount by the NBA towards administrative charges. The half of the 12% of the amount retained by the NBA may be shared with the concerned Board or Council.*

d) *The Authority members decided that the entire benefit-sharing amount received from applications where the source of the bio resources including digital sequence information are unknown shall be retained by the National Biodiversity Authority (NBA) as per Regulation 12 (1) (b) of the Biological Diversity (Access to Biological Resources and knowledge Associated thereto and Fair and Equitable Sharing of Benefits) Regulation, 2025 and utilized by the NBA in accordance with Section 27(2) of the Biological Diversity (Amendment) Act, 2023.*

e) *The members decided that the percentage of benefit sharing received from old Form III IPR applications shall be proportionately divided among the Concerned Boards as decided by the NBA if biological Resources were sourced from jurisdiction of two or more Boards as per Regulation 14(4) of the*

Guidelines on Access to Biological Resources and Associated knowledge and Benefits Sharing Regulation, 2014

f) The members also decided that the percentage of Benefit sharing received from New Form -7 & Form 9 IPR applications may be proportionately divided among the Concerned Boards or Councils if Biological Resources were sourced from jurisdiction of two or more Boards or Councils as per Regulation 11(4) of the Biological Diversity (Access to Biological Resources and knowledge Associated thereto and Fair and Equitable Sharing of Benefits) Regulation, 2025.

Action: Member Secretary

75.11: To consider the proposal for creation of 58 additional posts in NBA

The Member Secretary informed the members that NBA being a statutory body has a skeleton strength of 16 permanent posts and currently operates with this limited number of regular staff. He informed that during 2012, on the proposal of the NBA, the Expenditure Finance Committee (EFC) for the 12th Five Year Plan had recommended and principally agreed for creation of 58 new posts, with the total exchequer of Rs. 299.50 crore. He mentioned that this was agreed in principle during the plan period (2012-2017), in addition to those originally created in 2004 by the MoEFCC.

2. The Member Secretary explained that the MoEFCC initially proposed creating posts in intermediary grades, which would have resulted in jumping of grade pay. However, on review of Department of Personnel and Training (DoPT) guidelines, it was apparent to discourage the initiation of jumping grades and also advocated for proper promotional prospects within each category or grade. This point has been reiterated by the Ministry vide email dated 31-01-2014. Accordingly, a revised proposal for creation of 58 posts was sent to the Ministry on 8th September 2015 vide Letter No. 2/50/08/Admn/Vol.II/14-15/2003. However, the initial proposal required clarification on various aspects, which led to delays in finalization.

3. Further, he apprised the members that a revised proposal was submitted to the MoEFCC vide NBA/2/50/2008/ADMN/1486 dated 18-07-2022. However, since neither the original nor the revised proposal has been finalized and in view of the updated

checklist issued vide DoE OM No.7(1)/ E.Coord-I / 2017(Part.III) dated 4th January 2024, it is now proposed to submit a further revised proposal with some modifications and finer elements, aligned with the updated requirements and feedback, to meet the evolving needs of the NBA.

4. The members deliberated on the current status of the government with respect to creation of post and also mentioned that the duration of the procedure of creation of posts is very long. Member Secretary presented the revised proposal that will be submitted to the MoEFCC for further action. The members agreed that the revised proposal may be submitted to the Ministry.

Decision: *The Authority members decided that the revised proposal for creation of 58 additional posts for NBA shall be submitted to MoEFCC for further necessary action.*

Action: Member Secretary

75.12: To consider the Report of the Expert Committee on Materials

The Member Secretary informed the members that NBA had constituted an Expert Committee (EC) through Office Order No. NBA/IPR GEN/33/1-51/23-24/2023/1726 dated 9th October 2023 whose mandate was to provide clarity and determine, with appropriate scientific and legal justification, whether various materials, resources, and chemicals used for research, commercialization, and patents fall under the purview of the amended Act, and to streamline its implementation.

2. He further presented the work done by the committee that comprises of administrators, foresters, academicians in chemistry, law, and biotechnology, along with scientists from Indian institutions and emeritus experts. He also explained that committee had five meetings and 2 sub- committee meetings.

3. The Member Secretary explained that the committee had scrutinized 151 materials and categorized them into 4 categories namely - Plants and Plant Materials; Animals and Animal Materials; Microorganisms and Microbial Products and Other

Materials. He mentioned that committee recommended that the 151 materials may be categorized as 135 biological Resources, 13 derivatives and 3 Synthetic materials.

4. In this regard, two of the members from Ministry of Ayush and CSIR-TKDL opined that the report may be submitted to the Ministry of Ayush and CSIR for wider consultation as they are important stakeholders in this matter. However, the other members opined that this is a report of an Expert committee constituted by NBA need not be circulated as suggested. Hence, based on the majority, the members approved the report of the EC on Materials.

5. The member from Ministry of Ayush *vide* email dated 23.10.2025 provided comments on the Report of the Expert Committee on Materials for consideration and the comments are enclosed as **Annexure III**.

Decision: *The Authority members approved the report of the Expert Committee on Materials*

Action: Member Secretary

75.13: To consider the Final Report of the Expert Committee on SBBs/UTBCs

The Member Secretary apprised the members that Expert Committee on SBBs/UTBCs was constituted by NBA on 14.08.2023 (office order enclosed), “to study the existing administrative structure of the State Biodiversity Board (SBB) and Union Territory Biodiversity Council (UTBC) and suggest reforms to execute various functions mandated under the Biological Diversity Act” under the Chairmanship of Shri Rajen Habib Khwaja, IAS (Retd.), Former Secretary, Ministry of Tourism and Ministry of Mines, Former Joint Secretary/Additional Secretary, MoEFCC and Co- Chair, Dr. Rajeev K Srivastava, IFS (Retd.), Former Principal Chief Conservator of Forest, Govt. of Tamil Nadu.

2. He further mentioned that the EC held detailed discussions, undertook visits to selected states, iterated with BMCs and carried out a detailed review of available

documents and literature. Extensive consultations were held with the SBBs and UTBCs inviting their considered views, expertise and experience. The EC considered various aspects within an overall integrated framework before preparing the report and drafting the recommendations.

3. The Member Secretary explained that the final report was placed before the 74th Authority Meeting (Agenda Item No.74.07) held on 10-11 June 2025, where the members approved the report in-principle and directed to circulate the report to all SBBs/UTBCs for their comments/views, if any, within 15 days. Accordingly, the report was circulated among all SBBs/UTBCs and no comments were received within the prescribed time.

4. He then presented the key features of the Report and the members deliberated on the importance of the report for strengthening of the SBBs/ UTBCs etc. The members approved the Final report of the EC on SBBs/ UTBCs.

Decision: *The Authority members approved the final report of the Expert Committee on SBBs/UTBCs. Further, NBA secretariat was directed to send the report to all the States/UTs for further necessary action.*

Action: Member Secretary

75.14: To consider the decision on ABS applications dealt by the Secretariat and CoR issued to the applicants so far by NBA as per the provisions under the Biological Diversity (Amendment) Act, 2023 and the Biological Diversity Rules, 2024.

The Member Secretary apprised the members of the recommendations made by the Expert Committee (**EC**) constituted by the NBA to streamline the approval process, as per its 54th and 55th meeting, vide agenda no. 54.20.03 considered and endorsed the recommendations of the EC that NBA Secretariat may deal the applications based on the set precedence. Accordingly, NBA vide O/o dated 19th March 2020 issued an order for processing ABS application in NBA without referring to Expert Committee on ABS. However, in case of any contravention/ complexity such cases alone to be placed in the EC on ABS for examination.

2. Accordingly, so far the NBA Secretariat has cleared **33** applications, agreement signed for **74** applications and closed **26** applications in Form-I, Form-II, Form III and Form 1, 2, 3,7, and 8 between 1st June and 30th Sept 2025. Since the Biological Diversity (Amendment) Act, 2023 came into force from 1st April 2024, NBA issued 1015 Certificate of Registration (CoR) to the applicants. Accordingly, the NBA secretariat has issued **265** Certificates of Registration, from May 2025 to 30th September 2025.

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

Action: Member Secretary, NBA

75.15: To Consider the Decision taken on Form-13 (formerly Form B) applications

The Member Secretary 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. He also informed that under agenda item 32.06 of 32nd Authority meeting, it was decided as follows:

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

3. Further, he mentioned that the Biological Diversity Rules, 2024 came into force from 21st December 2024. Rule 20 of the BD Rules, 2024 has introduced Form-13 which will replace Form B application.

4. The Member Secretary informed that the NBA has granted approval to ten applications of Form-13 (formerly Form B) applications

Decision: *The Authority considered and ratified the decisions taken on the approval to ten applications of Form-13 (formerly Form B).*

Action: Member Secretary, NBA

75.16: Details of Form-E (formerly Form C) applications received by the NBA

The Member Secretary apprised the members that in its 37th meeting held in March 2016 under agenda item 37.14.02, the Authority decided that the Indian researchers/scientists should provide prior intimation to the NBA in the prescribed format viz., Form-C (Form-E in Biological Diversity (ABS) Regulations, 2025) for deposition of microorganisms in other country's repository for claim of novel species for publication in journals.

2. NBA has received 341 intimations since March 2016 – 30 September 2025, and the same has been reported to the Authority from time to time. He informed that since 01st June, 2025, the Secretariat has received **5** Form-C (Form-E in Biological Diversity (ABS) Regulations, 2025) applications.

Decision: *The Authority members noted the information on the 5 Form-C applications (Form-E in Biological Diversity (ABS) Regulations, 2025).*

Action: Member Secretary, NBA

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

The Member Secretary informed that the applications seeking approval for accessing the Red Sanders wood were scrutinized as per the procedure approved by the Authority in its 32nd (32.07) & 35th (35.03 & 35.19.01) meetings. In the 32nd

Authority meeting (32.07), the Authority authorised 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 one application during 01st June to 30th September, 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.	INBA1202406583	Fujian Yongshi Min Chuang Trading Co. Ltd.	28.60009	21-07-25	18,590.06	15,80,062.00

Decision: The Authority ratified the approval granted to one Red Sanders application by the NBA Secretariat.

Action: Member-Secretary, NBA

75.18: To consider the termination of agreements executed with applicants

The Member Secretary, NBA informed 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 **956** 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, it is found that 87 applicants have complied with the terms and conditions laid down in the agreement. Those 87 applications were closed by the NBA Secretariat. During the period June, 2025 to 30th September, 2025, Eleven applications were closed due to the following reasons:

- (i) completion of the period of the agreement, or
- (ii) upon request from the applicant for termination; or

- (iii) not undertaking the activity for which approval was granted,
- (iv) the activity mentioned in the agreement was completed.

Decision: *The members noted and ratified the termination of the 11 (eleven) agreements by NBA.*

Action: Member-Secretary, NBA

75.19: To consider the constitution / extension of the Expert Committees

The Member Secretary informed that Expert Committee on Red Sanders has been reconstituted vide this office order dated 05th September, 2023 to review the implementation of earlier recommendations made by the Expert committee in its report on “*Comprehensive policy on conservation, sustainable use and fair and equitable sharing of benefits arising from utilization of Red Sanders*” and suggest modifications thereof in the light of sale of Red Sanders from private /farmers’ holdings. In this regard, the NBA has extended the tenure of the Expert Committee on Red Sanders upto 30th November, 2025. Further, he also mentioned that NBA vide office order dated 01st May, 2025 had constituted a drafting committee under this Expert Committee on Red Sanders to prepare a draft comprehensive report with a tenure of two months (i.e., till 30th June, 2025). Consequently, NBA has extended the tenure of the Expert Committee till 31st October, 2025

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

Action: Member-Secretary, NBA

75.20: ABS amount collected during 01st June to 30th September 2025

The Member Secretary, informed the members that in accordance with Section 21 of the BD Act 2002, the NBA received a sum of INR **3,21,44,011/-** (INR Three Crore Twenty- One Lakh Forty-Four Thousand and eleven only) as benefit-sharing component in the National Biodiversity Fund after execution of agreements in 27 applications.

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

Action: Member-Secretary, NBA

75.21: Monitoring of Application – Seeking status report & receipt of deposition of the voucher specimens

The Member Secretary informed the members that during the period from 1st April 2025 to 30th September 2025, NBA had sought 154 Status Reports from the applicants related to Form I, II and IV applications and had received 69 Status reports from the applicants.

2. Further, he informed that as per terms and conditions of the agreement, applicant who have obtained approval from NBA has to submit the voucher specimens in the concerned repository and submit the acknowledgement issued by the repository to NBA. So far **6,974** voucher specimens of biological resources have been deposited by the applicants in the repositories. For the period from 1st June 2025 to 30th September 2025 NBA have received repository receipts for **23** voucher specimens.

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

Action: Member-Secretary, NBA

75.22: Update on the Development of E-PBR application (BIOMIS Portal)

The Member Secretary apprised the members of the status of the Development of E-PBR application (BIOMIS Portal). He mentioned that NBA undertook the following activities.

- i. Two review meetings were conducted with pilot States on 16th April, 2025 and 1st August, 2025. It is to note that complete information of around 50,000 BMC details has been updated in the portal.

- ii. A demonstration on the beta version of the ePBR application was conducted by the NIC on 4th August, 2025. The Pilot States were requested to test the beta version and provide inputs and feedback for further fine tuning the application.
- iii. Upon incorporation of the feedbacks into the BIOMIS portal, NIC will migrate the portal to NIC, Chennai. Upon which security auditing will be undertaken and followed by migration of the software into the cloud server for use of NBA/SBBs/UtBCs/BMCs.

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

Action: Member-Secretary, NBA

75.23: To consider the development of ABS end-to-end portal

The Member Secretary informed that the NBA with UNDP is developing the ABS end-to-end portal connecting NBA-SBB-BMC and other stakeholders for receiving and processing ABS applications, distributing benefits to the beneficiaries / BMCs, and monitoring the utilisation of funds at the level of BMCs. In this connection, NEC was hired by UNDP to carry out this exercise.

2. He further mentioned that as per the directions of the MoEFCC, NBA constituted a Committee to supervise and oversee the development of the ABS end-to-end portal. Pursuant, NBA constituted a Committee with Member Secretary as the Chair of the Committee to supervise and oversee the development of the ABS end-to-end portal.
3. Member Secretary informed that so far, NBA had conducted three meetings with NEC along with the teams of SBI & e-Gramswaraj, Ministry of Panchayati Raj for integration of portals for various functionalities as required for the development of the ABS end-to-end portal and the status is as follows:

Deliverable	Status	Remarks
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Role-based dashboards (Applicant, BMC, SBB, NBA)	Applicant Dashboard - 80% BMC Dashboard - 80% SBB Dashboard - 80%	20% - Pending EGramswaraj/Napix Data Integration Cloud Infrastructure & Storage
Certificate of origin by BMC (Form11, Form11A, Form12)	Form11 - 80% Form11A - 80% Form12 - 80%	20% - Pending Functional and System Testing is Pending.
Notification System	Email - 90% SMS - NA	Form12 Generation Notification is completed. BMC Registration Notification is completed. Functional and System Testing is Pending. System provisioned for Implementing for SMS Notification
Integration with payment gateway SBI	POC with Razor pay – 80% SBI Payment Gateway – Implementation Pending.	Pending SBI Technical Team need to provide the Payment Gateway Specification.

4. Further, he also informed the members that the NEC had completed phase I of the development which includes details pertaining to the submission of Form 11, 11A and 12 and demonstration session was organized by NBA along with the committee constituted for the purpose. The committee and the NBA team reviewed the phase I development and provided inputs as required for the effective implementation of portal.

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

Action: Member-Secretary, NBA

75.24: The activities undertaken by NBA for the promotion of “Mission LiFE - Lifestyle for Environment”

The Member Secretary apprised the members that as per the OM of MoEFCC vide No. 8-6/2023-EE-LiFE dated 13th January, 2023, all Divisions of MoEFCC were requested to promote the theme of Mission LiFE through various citizen centric functions and activities to ensure maximum public outreach.

2. Accordingly, the NBA actively highlighted the Mission LiFE themes, especially **Action Point 65: Start Biodiversity Conservation at Community Level**, which has direct relevance to the core mandates of the NBA, among the different stakeholders. Since June 2025 to September 2025, NBA conducted **05 (five)** such activities to promote 'Mission LiFE' themes.

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

Action: Member-Secretary, NBA

75.25: National Institute for Research and Application of Natural Resources to Transform, Adapt, and Build Resilience (NIRANTAR)

The Member Secretary informed the members that the National Institute for Research and Application of Natural Resources to Transform, Adapt and Build Resilience (NIRANTAR) was constituted vide Order dated 22nd 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. The administrative committee of NIRANTAR functions under the supervision, direction and control of the HPSC. Four thematic verticals were established within the NIRANTAR platform and the National Biodiversity Authority falls under the "Ecosystem Survey and Analysis" vertical.

2. He informed that so far, 4 High Powered Steering Committee meetings, 5 Administrative Committee meetings and 2 Technical and Financial committee meetings were conducted by the Ministry under NIRANTAR and was attended by Dr. B. Balaji, Member Secretary, NBA.

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

Action: Member-Secretary, NBA

75.26: Participation of NBA officers in the Conferences / Meetings / Capacity Building Programmes

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

1. 12th and 13th round of India-EU FTA negotiations
2. Meeting on WHO Pandemic Agreement (PABS)
3. Meetings on Cultivation of *Kappaphycus alvarezii* farming in the Gulf of Mannar
4. Exim Facilitation Committee (EFC) Meeting
5. Compliance with the Biological Diversity Act / Rules / Regulations
6. Capacity building/ training programs which are as follows:

Sl.no.	Date	Stakeholders to whom the workshop / training / capacity building programme conducted	Mode of workshop	Number of participation
1.	04.07.25	State Biodiversity Boards, Union territory Biodiversity Council officers, staff, interns, technical support groups of BMCs	Online	140
2.	07.07.25	Company representatives belongs to Federation of Seed Industries of India	Physical	20
3.	11.07.25	Public prosecutors, Govt. pleaders, APP G-1, G-2, law professionals, etc, at CASFOS, Coimbatore	Physical	35
4.	12.07.25	Tamil Nadu SBB organized workshop to BMC members and panchayat functionaries	Physical	65
5.	24.07.25	Legal professionals, students of IIT, Kharagpur, West Bengal	Online	27
6.	29.07.25	Ayush companies of Kerala at Kerala SBB	Physical	40
7.	05.08.25	FICCI – Fragrance companies from India and EU based companies	Online	100
8.	08.08.25	Rajasthan SBB organized meeting for SFS, IFS officers of the state	Physical	40
9.	20.08.25	FICCI – Fragrance, cosmetic and other sectors meeting at New Delhi	Physical	140

10.	25.08.25	Bureau of Indian Standards organized online training programme to scientists of BSI, ZSI, ICAR, CSIR, Forest officers of Rajasthan, Uttar Pradesh, SBBs, NGOs, other stakeholders	Online	310
11.	12.09.25	One-day Module on Biodiversity Governance for Indian Forest Service (IFS) officers inducted from State Forest Service (SFS) of 36 th Professional Skill Up-gradation Course (PSUC) at Indira Gandhi National Forest Academy (IGNFA)	Offline	100
			Total	1,017

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

Action: Member-Secretary, NBA

75.27: Techno - Administrative – Legal inputs offered by NBA to the MoEFCC on International Instruments including Multilateral/ Bilateral matters

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:

Section	Particulars	Details
Inputs on MoUs	India & Indonesia	MoU between Ministry of Agriculture (Indonesia) and Ministry of Agriculture & Farmers' Welfare (India) on cooperation in agriculture from MoEFCC. Comments given on: Article 8 – Intellectual Property Rights Article 9 – Genetic Resources & Traditional Knowledge
	India & Oman	MoU between International Cooperation Division, MoEFCC (India) and Government of Sultanate of Oman on cooperation in environment. Comments given on: Article 1, Clause 4 – “Exchange of environmental legislation, laws, and mechanisms related to international environmental agreements.”

Section	Particulars	Details
Inputs to CBD Secretariat (Nagoya Protocol)	Notification 2025-098	Submission to preliminary review of procedures and mechanisms on compliance under Nagoya Protocol on Access to Genetic Resources and Fair & Equitable Sharing of Benefits. The inputs provided to MoEFCC.
	Notification 2025-033	Submission of views & information regarding specialized international access and benefit-sharing instruments (Article 4, para 4, Nagoya Protocol, Decision NP-5/8). The inputs for the same has been provided to MoEFCC.
Private Bills – Parliamentary Session	Ecocide (Prevention and Accountability) Bill, 2025	NBA examined the Bill in light of Biological Diversity (Amendment) Act, Rules, Regulations & Kummung Montreal Global Biodiversity Framework and provided inputs to MoEFCC.
	Protection & Maintenance of Marine Ecosystem Bill, 2024	
14th Round of India-EU FTA Negotiations	ARTICLE X.7 - Chapter on Trade and Sustainable Development for Round 13	NBA examined the Mandate note and provided inputs to MoEFCC on Article X.7 with special reference to compliance of the Nagoya Protocol on ABS.

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

Action: Member-Secretary, NBA

75.28.1: Discontinuance of Affidavits requirement for both section 3(2) and section 7 persons for overall NBA applications

The Member Secretary informed that Biological Diversity Act, 2002, was amended by the Biological Diversity (Amendment) Act, 2023, which came into effect on April 1, 2024. However, as the rules were not simultaneously amended, there was no clear provision for processing applications, nor any regulation regarding the submission of affidavits under the Act. This created delays in processing Form III applications.

2. He informed that, to address these delays, an affidavit system was introduced by the NBA on April 1, 2024, where applicants were required to submit affidavits for the

processing of Form III applications as an Ad Hoc mechanism and was approved by the 70th Authority meeting (special meeting) held on July 29, 2024.

3. The Member Secretary apprised the members that the applicants have been facing significant challenges in executing affidavits, which has led to delays in the processing of overall NBA applications. In this regard, he proposed that discontinuing the affidavit requirement will allow the NBA to improve the overall application processing time and ensure smooth implementation of the amended Biological Diversity Act.

4. The members deliberated on the issue and agreed that the Affidavits requirement for both section 3(2) and section 7 persons may be discontinued.

Decision: *The Authority members decided that the Affidavits requirement for both section 3(2) and section 7 persons for overall NBA applications shall be discontinued as the ABS Regulations 2025 are in place.*

Action: Member-Secretary, NBA

75.28.2: Guidance on IPR Form-III and Form-8 Applications (Post-amendment of the BD Act) which are pending for over 90 Days

The Member Secretary informed the members that a total of 39 applications that have been submitted Post-amendment of the BD Act (Form-III -14 applications and Form-8 -25 applications) have been pending for more than 90 days, in which the NBA had sought Vital information regarding the bio resources and required documents and the required information is awaited from the applicant.

2. He also mentioned that despite multiple reminders, the applicants have not responded to the queries raised. The Member Secretary further apprised the members that according to Rule 16 of the BDA Act, there is closure for Form-7 and Form-9, but there is no provision for closure regarding the Form-III and Form-8 applications. In view of the prolonged inactivity, he proposed that these applications may be kept in abeyance until further communication is received from the respective applicants. He

further mentioned that the pendency of the application will also be reflected in the NBA dashboard which is being monitored by the MoEFCC.

3. In this regard, Dr.Gouri Joshi, Non official member suggested that the status of these applications in the dashboard may be projected as “Registration not completed”. The members agreed to this suggestion.

Decision:

The Authority members decided that the 39 applications (Form-III -14 applications and Form-8 -25 applications) that are pending for more than 90 days may be closed as registration was not completed. In future cases, the NBA Secretariat may give 30 days timeline for providing the required details, if not the application will be closed. The applicant may apply afresh for registration If required.

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

Annex-I

List of Members present

1. **Shri Virendra R Tiwari, 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. **Dr Anil Kumar Vijayan**, Scientist E, Ministry of Earth Sciences, Prithvi Bhawan, opposite India Habitat Centre, Lodhi Road, New Delhi Email: anilkumar.v@gov.in; anilkumar.v@gov.in; anilkumar.v@gov.in
4. **Dr. Koustubha Upadhyaya**, Advisor (Ayurveda) Ministry of Ayush, New Delhi E-mail: adviser-ayush@gov.in
5. **Dr. Modhumita Dasgupta**, Scientist-G, ICFRE-Institute of Forest Genetics and Tree Breeding, Coimbatore Em-mail: ghoshm@icfre.org
6. **Dr Gyanendra Pratap Singh**, Director, ICAR- National Bureau of Plant Genetic Resources (NBPGR), Pusa, New Delhi Email: gp.singh-icar@nic.in; director.nbpgr@gmail.com ; director.nbpgr@nic.in ;
7. **Dr. Viswajanani Sattigeri**, Head TKDL, Council of Scientific & Industrial Research, Anusandhan Bhavan, 2, Rafi Marg New Delhi- 110 001 Email: viswajanani.sattigeri@csir.res.in
8. **Dr. Amit P. Parikh**, Scientist F, Department of Biotechnology, Block-2, 7th Floor, C.G.O. Complex, Lodhi Road, New Delhi-110003 Email: amit.parikh@nic.in
9. **Shri R. N. Meena, IFS**, CCF & Member Secretary, 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 H.B. Abo, IFS**, Member Secretary, Arunachal Pradesh Biodiversity Board, Department of Environment and Forests, SFRI, Van Vihar Chimpur, P.B.No: 157 Itanagar, Arunachal Pradesh - 791 111. E-mail: apbb2010@gmail.com, abobengia03@gmail.com
11. **Smt. Mita Banerjee, 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
12. **Shri Sanjay Kumar Sinha, IFS**, PCCF-WL, Member Secretary, Andaman & Nicobar Islands Biodiversity Council, Van Prani Bhawan, Chatham Port Blair-744102 E-mail: pccfwildlife1961@gmail.com
13. **Dr. B. Balaji, IFS**, Member Secretary, NBA, 5th Floor, TICEL Bio Park, CSIR Road, Taramani, Chennai - 600 113 Email: secretary@nba.nic.in

Non official members

14. **Shri Hanchinal Rayappa Ramappa**, 142, MIG-II, KHB Colony, DN Koppa, Dharwad-581118 Email: rrhanchinal@rediffmail.com; rrhanchinal@gmail.com

15. **Dr. Joykumar Meitei Laishram**, Retired Professor and Dean, Keishamehong Longjam Leikai, 84C, Imphal, Manipur 795004 Email: jmlaishram@rediffmail.com

16. **Dr. Gouri Joshi**, 401, Balwant ashram, Behind Nirmity Elite, Law College Road, Erandwane, Pune, Maharashtra - 41 1004. Email: Boniaee.enviroleoal@gmail.com; boniaee@gmail.com Mobile. 9225613409



H.B ABO, IFS
Member Secretary

ARUNACHAL PRADESH BIODIVERSITY BOARD

(An autonomous and statutory body)
Department of Environment & Forests
Government of Arunachal Pradesh



Comments

75.02: Action Taken Report of the 74th Authority Meeting

The Member Secretary explained the actions taken based on the decisions of the 74th Authority Meeting.

2. Against agenda Item 74.04: "To consider the issue of export of Bulk Biological Resources by Section 7 persons.", it was informed that as there is no explicit provision in the BD Act for Indians (Section 7 person) seek approval of NBA / SBB to export the biological resources to user (Section 3(2) person), the NBA Secretariat informed the DGFT, Ministry of Commerce to incorporate a suitable clause in their Standard Operating Procedures and other relevant documents for the users of biological resources to obtain necessary approval from the NBA for accessing the biological resources. It was also informed that there was no proposal/grievance received from the Indian entities raising concerns regarding the export of biological resources outside India.

Comment from Arunachal Pradesh Biodiversity Board- The matter has been re-examined at the Board level, and it is requested to keep this issue pending and do not conclude the matter. The "ease of doing business" principle promoted by the central and state governments appears not to be followed in this decision. This decision of the NBA appears to be adversely affecting the rights of Indian (sec-7) entities in exporting bulk biological resources, even when they duly pay the benefit-sharing amount. Here also, the conditions that the NBA is imposing on importers will be imposed by taking an Affidavit from the importer if Indians are allowed to export, as the Law has not curtailed this right of Section-7 entities to export the bulk biological resources. Though the NBA is an apex body at the national level, it may not make decisions that adversely affect the bio economy of individual states, which are rich in Bulk Biological resources. The SBBs are autonomous statutory bodies and therefore they are expected to work responsibly in the larger interest of the state and bio entrepreneurs who wish to follow the rules and regulations.

The Arunachal State Biodiversity Board requests the NBA to inform us of any actions taken regarding Section -7 entities exporting bulk biological resources not listed in the NTAC list, as states are losing ABS amounts. Therefore, it is requested to keep the issue pending, and the Arunachal Biodiversity Board's stand will be submitted in detail by the next Authority Meeting, as this is an important statutory issue.

With regards,

H.B ABO (IFS)
Member Secretary, APBB.

Comments on Report of Expert Committee submitted before NBA on Materials / Resources / Chemicals

1. The Report was shared amongst members of NBA along with the agenda containing 41 pages and 389 pages of Annexures vide email on 07th October, 2025 at 7.42 pm. Even though, the notice was served before 15 days as under Rule 13 (4) of BD Rules, 2024, the agenda was not circulated with the notice, thereby denying members to have a thorough review of the agenda.
2. The meeting was held on 13th October, 2025 in hybrid mode. During the meeting, undersigned requested for wider circulation of the document for wider consultation and informed decision. However, unfortunately, the NBA chose to finalize the report without further discussion for the best reasons known to themselves.
3. The Expert Committee has no representative from Ayush sector which is an important stakeholder.
4. It appears that the Committee has totally disregarded the definition of 'Derivatives' and 'Value added products' specified in the Biological Diversity (Amendment) Act, 2023. Many items that qualify as "derivatives" (which themselves are part of biological resources) are only listed under "biological resources" and do not appear under "derivatives". This has resulted in avoidable confusion regarding the understanding of the term.
5. 'Value Added Products' have been defined under the Biological Diversity (Amendment) Act, 2023 and they have been explicitly kept outside the definition of Biological resources. It appears that attempt has been made to interpret many 'Value Added Products' as Derivatives/ Biological resources to circumvent the exemption provided under the Act.
6. Even though the Committee claims to have provided their inputs with scientific justification, there seems no correlation/justification of the inputs to that of definition given under the Act.
7. It appears that the Expert Committee is enthusiastic about claiming anything and everything under the earth as biological resource. Under

this logic, **oxygen** we breathe is a biological resource as it's a by-product of photosynthesis in plants. In similar corollary, petroleum products are also biological resources as they are by-product of fossilized plants and animals. However, the exclusion of value-added products from the scope of ABS is intended to acknowledge the role of human technological intervention in their production and to prevent multiple ABS burden on same resources.

8. The comments/observations on specific materials may be seen as under:

a. Plants and Plant materials

- i. Sl.No.1-13, 15-16, 87-88, 91 come under derivative category being naturally occurring bio-chemical compound/by-product of metabolism of biological resource.
- ii. Sl.No.17-22, 81-82, 84-86 come under biological resources as they are parts of bioresources without major modification.
- iii. Rest of the products come under value added products as the biological resources are industrially processed further and they are not naturally occurring in that form.

Note: It is quite astonishing to note that Fabric (Sl.No.92), Inks & Dyes (Sl.No.90) and Linoleum (Floor covering at Sl.No.89) which are value added products even before the eyes of common man are categorized under biological resources. This raises the question as to why cardboards, papers, wooden furniture, carpets, threads and ropes etc. are not included under any of the categories.

b. Animals and animal materials:

- i. Sl.No.11 and 19 come under derivative category being naturally occurring bio-chemical compound/by-product of metabolism of biological resource.
- ii. Sl.No.1-2, 22-25, 36-38 come under biological resources as they are parts of biological resources without major modification.
- iii. Rest of the products come under value added products as the biological resources are industrially processed further and they are not naturally occurring in that form.

Note: It is surprising to note that Woolen Fibre (Sl.No.21), Inks & Dyes (Sl.No.39) and Fabric (Sl.No.40) which are value added products even before the eyes of common man are categorized under biological resources. Further, the common derivative of animal origin like honey and bees wax are not included under any of the categories.

c. Microorganisms and microbial products:

- i. All the products other than Sl.No. 19 (Shilajit) come under value added products as the biological resources are industrially processed further and they are not naturally occurring in that form. The repetition of Shilajit is not required here as the same is already mentioned under group (a) at Sl.No. 91.

Note: It is amazing to note that alcoholic beverages that are produced by microorganisms through fermentation is not included under any of the three categories even though it has major economic value in trade across the world.

d. Other materials:

- i. All the products from Sl.No. 1-9 come under value added products as the biological resources are industrially processed further and they are not naturally occurring in that form.

Note: It is illogical to note that Vegetable oils at Sl.No. 71 under group (a) is proposed to be considered as biological resource while Mixed vegetable oils at Sl.No. 1 under group (d) is proposed to be value added product which is self-contradictory.

With the above observations, the report of the Expert Committee is non-exhaustive and lacks clarity. Further, it multiplies the already existing ambiguity that was proposed to be removed. The criterion of categorization is not at all made clear in the report. This raises questions about decisions regarding wide range of materials not included in the list.

Therefore, it is requested to seek comments from all the stakeholders on the report and take final call after proper discussion in the next meeting of NBA as the report has wider repercussion in execution of the Act and may lead to avoidable litigation.