



PROCEEDINGS
77th AUTHORITY MEETING

Venue
NBA Headquarters
Chennai

23rd March 2026

NATIONAL BIODIVERSITY AUTHORITY
Chennai

Proceedings of the 77th Authority Meeting of the National Biodiversity Authority held on 23rd March 2026 at NBA, Chennai

The 77th Authority meeting of the National Biodiversity Authority (NBA) was held on 23rd March 2026 at NBA, Chennai, 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 and the Members of the Authority who joined in person and online. The Authority members appreciated the efforts taken by the NBA in disbursing the Access and Benefit Sharing amount to the benefit claimers and also speeding up the process of IPR applications.

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

77.01: Confirmation of the Proceedings of the 76th Authority meeting

The Member Secretary informed that the draft Proceedings of the 76th meeting of the National Biodiversity Authority (NBA) held on **05.01.2026** at National Biodiversity Authority Headquarters, Chennai were circulated to the members *via* e-mail dated 13.01.2026 to seek their comments. Comments were received from *ex officio* member Dr. Viswajanani Sattigeri, CSIR-TKDL. The comments of the member were incorporated and placed as **Annexure I** for confirmation. The members unanimously agreed to confirm the Proceedings of the 76th Authority meeting.

Decision: *The Proceedings of the 76h Authority Meeting were confirmed.*

77.02: Action Taken Report of the 76th Authority Meeting

The Member Secretary apprised and explained the members of the actions taken on the decisions taken of the 76th Authority meeting and the members deliberated the same. He further mentioned that actions taken on the Agenda Item No 76.06 (*To consider Revised Guidelines for designated repositories*) and 76.18 (*To consider the modalities for sharing the benefit sharing amount accrued in cases where the biological resources are accessed from traders/institute / intermediaries as per Rule 21(4) of the Biological Diversity Rules, 2024 and BD (ABS) Regulations, 2025*) have been placed as separate agenda for further discussion in the meeting.

2. *Against Agenda Item No. 76.25.1: To consider the proposal for launching a new initiative – Short-term Internship*

The Member Secretary apprised the members that as per the Authority decision, Legal opinion was obtained from the Legal Section of NBA regarding the engagement of short-term interns without stipend. He explained that similar internship arrangements are



being followed by organizations such as NITI Aayog, DPIIT, and AWIC. The Legal Section has examined the matter and conveyed that the proposal may be considered. Hence, an Office Memorandum has been issued on 12.02.2026, and the guidelines have been uploaded on the official website. In this regard, the members deliberated and suggested that the approved guidelines may be forwarded to the students who had earlier requested for such internship for taking further necessary steps at their institutions.

3. Further, the members noted the action taken by NBA on the various decisions taken in the 76th Authority meeting.

Decision: The actions taken by the NBA on decisions taken in the 76th Authority meeting were noted by the members.

77.03: To consider the report of the Expert Committee to devise modalities for utilisation of the ABS amount earmarked to the NBA

The Member Secretary explained to the members that the Authority, in its 75th meeting (Agenda Item No. 75.08), considered the draft modalities for sharing of benefit-sharing amounts in cases where biological resources are accessed from traders and decided that, in such cases, the NBA may retain the benefit-sharing component and utilise the same for the purposes specified under Section 27 of the Act read with Regulation 12 of the ABS Regulations, 2025. Similarly, if the biological resources are accessed from Institution / University, the ABS amount will be distributed to them through SBB.

2. He further apprised the members that a majority of the applications pertain to access to biological resources sourced from markets, institutions and traders, and in such cases, tracing the original source of the biological resources within the supply chain is not practically feasible, resulting in a substantial amount of ABS funds accruing to the National Biodiversity Fund (NBF) which needs modalities for utilizing it.

3. In this regard, the Member Secretary informed that NBA constituted an expert committee to devise modalities for utilisation of the ABS amount earmarked to the NBA in cases of access to biological resources from traders, institutions or intermediaries, in accordance with the Biological Diversity Act, 2002, the Biological Diversity Rules, 2024 and the ABS Regulations, 2025 vide Office Order No. NBA/Tech.Gen/22/150/25/25-26/2451 dated 17.12.2025 under the Chairmanship of Shri. A.K. Goyal IFS (Retd.), Former Special Secretary, Ministry of Panchayati Raj, New Delhi. The tenure of the EC was three months from the date of issue of office order. The Expert Committee held its meetings on January 06, 2026, February 05, 2026 and February 11, 2026, after detailed deliberations, the EC submitted its recommendations to the NBA on 16th February, 2026



4. The Member Secretary explained to the members the key recommendations made by the EC in the report, which are as follows:

(a) **Biological resources accessed from traders/ intermediaries:**

- I. If the biological resources, based on the information or records available with the Botanical Survey of India/Zoological Survey of India or Ministry of Ayush or other published records **are restricted to a few states/UTs**, the ABS amount should be distributed to the SBBs concerned for utilisation as per the provisions of the Act.
- II. If the biological resources are widely available throughout the country, and from the available information, it is not possible to find out the exact geographical source of origin of those biological resources, the NBA may utilize the ABS amount as per the provisions of section 27 of the Act and in a manner suggested in the Annex.

(b) **Biological resources accessed from the institutions**

- I. To obtain information on the source of origin of a particular biological source so accessed by the applicant from an institution, the NBA may request the institution to provide provenance records, including the date of access if those details are not provided in the application. The institution may be requested to **respond within a period of 45 days**.
- II. If the details are made available by the institution along with geo-location of the biological resource so accessed, then the amount will be distributed to the farmers/community/Biodiversity Management Committee (BMC), etc., as the case may be, through the SBB/UTBC concerned, after sharing ABS as per the criteria given below with the institution for their value-addition/efforts.
- III. If there is no response from the institution, the amount will be utilized by the NBA for the purposes as provided in the Annex after transferring the amount as per the criteria given below to the institution as considered appropriate by the NBA.
- IV. The NBA may issue advisory requiring the institutions to maintain proper provenance records of the biological resources in the future.

(c) **Criteria for sharing the ABS amount between the institution and SBB/UTBC**

- **Accessed from the institution and source of origin is known:** Sharing the ABS amount with the research institution (in the range of 25-40%);

- The Institution's share can be increased up to 40% on a case by case basis, based on the criteria provided in the report.

- **Sharing the ABS amount with the SBB/UTBC (in the range of 60-75%)**

(i) If there is only one state identified as the source of origin of that particular biological resource, after sharing with the institution, the remaining ABS amount shall be shared with that SBB concerned. If the geo-location details of the bio-resource are also made available, the ABS amount may be shared with the actual beneficiary BMC/community or an individual cultivator.

(ii) If the bio-sources **are found in less than 10 states/UTs**, the benefits can be shared with the SBBs/UTBCs in those states in proportion to the geographical extent/distribution patterns/abundance of the species of each state, where those are found and the degree of harvest/trade from each state.

(iii) If the above-mentioned information sought from the states/UTs is not made available or not available even in the published records, then the NBA may consider distributing the ABS amount equally to all those SBBs/UTBCs concerned.

(iv) If a biological resource is found in more than ten states/UTs, then the NBA may either share the ABS amount with the concerned SBBs/UTBCs of those states/UTs, or may retain the full amount if the ABS amount is not adequate enough for distribution among those states/UTs. The NBA may utilise the amount as per the provisions of section 27 of the Act.

(d) Factors that could assist the NBA in adjusting these percentage:

The NBA may increase the share of SBB/UTBC (up to 75%) if:

1. the biological resource was recently collected with minimal processing by the research institution
2. clear indication of the state of origin exists
3. strong conservation need in the source state/UT, and
4. any other factors which the NBA may find appropriate.

(e) If the above-mentioned information is not provided by the institutions and the SBBs/UTBCs concerned, the NBA may adopt a standard allocation formula, of say, 70% to SBB/UTBC and 30% to institutions as a default.

5. Based on the recommendations, the members discussed and deliberated on the issues that could arise while allocating and disbursing the ABS amount. The members deliberated that a baseline database or a ready reckoner from secondary sources may



be developed in such cases to allocate the ABS amount to SBBs/UTBCs/BMCs/community/ farmers. However, if the source/ geo-locations of the biological resources are not known, then the amount may be used by the NBA as per the provisions of section 27 of the Act.

6. Further, the members deliberated if Utilization Certificate (UC) may be sought from the institutions who received the ABS. Few members opined that the UC may not be sought but conditions may be put forth to provide information on the utilization of the ABS amount by the Institutions. The members also opined that the NBA may request the head of the institution to monitor the utilization of the ABS amount and provide a report. In this regard, Dr. Kousthubha Upadhyaya, representative of Ministry of Ayush suggested that the report from the institutions may be sought as it would help NBA in providing answers to the Parliamentary questions.

7. In this regard, Dr. Sunil Archak, representative of NBPGR suggested that NBA may prepare guidelines/ modalities which may be provided to the institutions for utilizing the ABS amount. To this, the members agreed and the Chairperson, NBA mentioned that the guidelines/modalities for the institutions to utilize the ABS amount may be developed and placed in the next authority meeting on 22nd May 2026.

Decision: a. *The Authority members approved the Report of the Expert Committee to devise modalities for utilisation of the ABS amount earmarked to the NBA in cases of access to biological resources from traders, institutions or intermediaries, in accordance with the Biological Diversity Act, 2002, the Biological Diversity Rules, 2024 and the ABS Regulations, 2025*

b. *The Authority members directed the NBA Secretariat to develop a baseline data using secondary sources for identifying the source/ geo-locations of the biological resources to disburse the ABS amount to the SBBs/UTBCs/BMCs/community/ farmers.*

c. *The Authority members directed the NBA to develop guidelines/modalities for the institutions to utilize the ABS amount.*

Action: Member Secretary, NBA

77.04: To consider Revised Guidelines for Designated Repositories

The Member Secretary informed the members that the Authority, in its previous meeting (Agenda Item No. 76.06), directed the NBA Secretariat to circulate the draft Revised Guidelines for Designated Repositories to the institutions notified as Designated Repositories under the Biological Diversity Act for obtaining their comments. Accordingly, the NBA Secretariat circulated the draft revised guidelines to 18 designated repositories on 29th January 2026. Subsequently, a consultation meeting with the Committee and representatives of the 18 repositories was held on 12th February 2026.



2. The minutes of the said meeting were circulated to all concerned repositories for further comments. In this regard, it was deliberated that Dr Sunil Archak, NBPGR had provided the comments which were seed-specific. The Authority members deliberated that the guidelines have been developed to capture the different types of organisms including micro-organisms to animal species.

3. Further, the members deliberated if the samples deposited in the repository may be shared with anybody who request for it. In this regard, Dr. Achuta Nand Shukla, MoEFCC mentioned that in BSI and ZSI, voucher specimens cannot be shared but can be provided on loan basis for identification only. Further, Dr. Kousthubha Upadhyaya, Advisor(Ayurveda), Ministry of Ayush proposed that the following clause may be inserted in the proposed guidelines to address unique nature of each bio-resources "However the sharing of voucher specimens to any researchers and institutions are subject to the specific policy applicable for particular category of specimen of bio-resources as decided by the repositories concerned".

4. However, the Member Secretary apprised the members that as per the provisions of the Act, the repositories shall keep in safe custody the biological material including voucher specimens deposited with them and hence cannot be shared but used as proof during disputes if any. In this regard, he suggested that a paragraph on the provisions of the BD Act may be included in the guidelines.

5. The Member Secretary informed that the species that are abundantly available need not be deposited in the repository but specific varieties need to be deposited. Dr. Achuta Nand Shukla, MoEFCC suggested that the repositories may digitize the voucher specimens for future reference and this may be added in the guidelines prepared.

6. In this regard, during the deliberations, Chairman, NBA requested the members to provide comments on the guidelines within two days. Dr. Hanchinal Ramappa mentioned that the guidelines already include that the designated repositories may develop their own Standard Operating Procedure (SOP) for the safe custody of the biological materials deposited by the applicants who have got approval from NBA. The, Chairman, NBA asked the members to approve the guidelines to the comments provided by the members.

Decision: *The Authority members approved the Revised Guidelines for Designated Repositories subject to the comments provided by the members.*

Action: Member Secretary, NBA



77.05: To consider the proposal to designate the Natural History Museum and Research Centre as the Designated National repository under Section 39 of the BD Act, 2023

The Member Secretary apprised the members that NBA had received a proposal from the Natural History Museum, Mizoram University, Aizawl, seeking designation of the Natural History Museum as a Designated National Repository.

2. In this regard, he mentioned that NBA engaged Dr. Joykumar Meitei Laishram, Member of the Authority as a 'Domain Expert' to visit Natural History Museum, Mizoram University, Aizawl, and examine the facilities and infrastructure to act as designated repository under Section 39 of the Biological Diversity (Amendment) Act, 2023 and submit its report to this office for further course of action.

3. The Member Secretary apprised the members that Dr. Joykumar Meitei Laishram visited Mizoram University from 23rd to 25th Feb 2026 for assessment of Natural History Museum and Research Centre, Mizoram University. The report of the visit was submitted to NBA on 03.03.2026 wherein it was mentioned that, the infrastructure is adequate for storing several more species of both flora and fauna from all over N.E. India. However, the herbarium room is small and number of racks are few, but it can accommodate many more herbarium for some more years of collections in the future. Hence it was recommended to recognize the natural history museum of Mizoram University, Aizawl as national repository especially for preservation of floral and faunal bio-diversities of North East India which is the biodiversity hot- spot of Indo-Burmese region.

4. In this regard, the members deliberated on the importance of having a designated repository in the North East. The members suggested the NBA may not restrict Mizoram University to be the only designated repository in the north east. To this, the Member Secretary apprised the members the institutions are free to submit proposal for recognizing their institute to be a designated repository and NBA is open to consider proposal from potential institutions.

5. Further, the members suggested that the NBA may take an undertaking from the Institutions that request for designating as a repository that it would have a dedicated area or infrastructure to store the biological materials; should have manpower exclusively to take care of the vouchers submitted by the applicants based on the NBA approval and the University/Institution will take the responsibility to maintain it.

6. In this regard, the members opined that more information and the above-mentioned undertaking are required from the Natural History Museum and Research Centre, Mizoram University to approve the proposal by the Authority. Hence, the agenda was deferred to the next Authority meeting.



Decision: a. The Authority members deferred the proposal to designate the Natural History Museum and Research Centre as the Designated National repository under Section 39 of the BD Act, 2023 for want of more information.

b. The Authority members directed the NBA Secretariat to take an undertaking from the University for the following

(i) Having a dedicated area or infrastructure to store the biological materials submitted as voucher specimens submitted by the applicants, based on the NBA approval

(ii). Have manpower exclusively to keep voucher specimens in safe custody

(iii). The University will take responsibility for maintaining the repository.

Action: Member Secretary, NBA

77.06: To consider the determination of Sector – Specific Benefit Sharing percentage for IPR commercialisation by section 3(2) & Section 7 Persons.

The Member Secretary apprised the Authority members that the Expert Committee on ABS held a meeting in hybrid mode on 23.12.2025 to determine Sector-Specific Benefit Sharing percentages for IPR commercialisation under Form 7 & Form 9. The meeting was chaired by Dr. P.L. Gautam (Ex-Chairperson, NBA) and Co-Chaired by Dr. S. Balaji (IFS Retd.).

2. He mentioned that the meeting was convened to formulate the “Determination of Sector-Specific Benefit Sharing percentages for IPR commercialisation” in line with the Biological Diversity (Amendment) Act, 2023, the Biological Diversity Rules, 2024 & the Biological Diversity (Access to Biological Resources and Knowledge Associated thereto and Fair and Equitable Sharing of Benefits) Regulations, 2025.

3. The Member Secretary explained that the Committee rationalized the framework into three (3) broad sectors:

- **Category 1:** Ayush (Traditional Medicine), Food, Agriculture, Environment-friendly innovations, Public health, Bio-input, Public interest sectors.
- **Category 2:** Nutraceuticals, Textiles, Miscellaneous.
- **Category 3:** High-value commercial Sectors, Pharmaceuticals, Cosmetics, Fragrance, Industrial Biotechnology.

The Expert Committee finalized a sector-specific category table for determining benefit-sharing percentages for persons under Sections 3(2) and 7 of the Biological Diversity (Amendment) Act, 2023.

The finalized benefit-sharing matrix is placed below for the perusal of the Authority

Type of applicant	Traditional Knowledge (TK) Status	Category - 1			Category - 2			Category - 3		
		Ayush (traditional Medicine), Food, Agriculture, Environmental friendly innovations, Public health, Bio-input, Public interest sectors	Nutraceutical, Textiles, Miscellaneous	High value commercial Sectors, Pharmaceuticals, Cosmetics, Fragrance, Industrial Biotechnology	Applicant himself commercializing	Transfer License	Royalties	Applicant himself commercializing	Transfer License	Royalties
Individual Inventor (Scientist / Student / Individual)	No TK	0.5	5	5	0.5	5	5	0.6	5	5
	TK involved	+25% more								
State/ Central Government Organization/ Institute(s)/ University(s) (Including autonomous bodies)	No TK	0.6	5	5	0.7	5	5	0.8	5	5
	TK involved	+25% more								
Small enterprises and start-ups MSMEs, NGO's	No TK	0.6	5	5	0.7	5	5	0.8	5	5
	TK involved	+25% more								
Private Institution(s)/ Private University(s)/ Research Organization (s)	No TK	0.6	5	5	0.7	5	5	0.8	5	5
	TK involved	+25% more								
Companies	No TK	1	5	5	1	5	5	1	5	5
	TK involved	+25% more								

4. The members deliberated on recommendations provided by the Expert Committee and also on the type of companies such as Indian and foreign companies. However, the members opined that the Regulations does not differentiate the companies into such categories.

5. Dr. Kousthubha Upadhyaya, representative of Ministry of Ayush suggested that, in the case of the Ayush (traditional Medicine) category, the benefit sharing percentage may

be equated to the slabs given in Regulation 4. He further suggested that additional charges of 25% may be put forth for the monopoly rights that is held by the Applicant.

6. The members deliberated on the suggestion and did not agree to it as the applicant holds the patent rights and monopolizes the commercialization. Further, the members also opined that the Regulation 8 related to IPR clearly provides the range of percentage for fixing the benefit sharing component and is up one percent whereas the highest percentage in Regulation 4 for commercialization without IPR is only 0.6%.

7. In this regard, Chairman, NBA opined that Dr. Kousthubha Upadhyaya may provide his comments with examples to NBA which can be referred back to the Expert Committee on ABS for consideration and deliberation. The revised recommendations may be placed in the next Authority meeting. In this regard, Dr. Kousthubha Upadhyaya vide email dated 02.04.2026 provided his comments which will be placed before the Expert Committee on ABS for further deliberations. Further, he has also requested to be invited to present his viewpoints on the instant issue in the Expert Committee on ABS meeting and to positively contribute to the deliberation and recommendations.

Decision: a The Authority members deferred the recommendations provided by the Expert Committee on ABS on the determination of Sector-Specific Benefit Sharing percentages for IPR commercialisation under Form 7 & Form 9 for further discussions.

b. The comments provided by Dr. Kousthubha Upadhyaya, representative of Ministry of Ayush on the recommendations shall be referred back to the Expert Committee on ABS for consideration and deliberation.

Action: Member Secretary, NBA

77.07: To consider the decision on ABS Applications Dealt by the Secretariat

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 with the applications based on the set precedent. Accordingly, NBA vide O/o dated 19th March 2020 issued an order for processing ABS application in NBA without referring to the 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 he mentioned that the NBA secretariat so far has cleared 15 applications, agreement signed for 17 applications and closed 17 applications in Form-I, Form III, Form 1, 2 3 and 8 between from 01st December, 2025 – 28th February, 2026. Since the Biological Diversity (Amendment) Act, 2023 came into force from 1st April

2024, NBA has issued **1580** Certificate of Registration (CoR) to the old Form III and Form 8 applications. Accordingly, the NBA secretariat has issued **283** Certificates of Registration, from December, 2025 – February, 2026.

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

Action: Member Secretary, NBA

77.08: 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 granted approval to four (4) applications and closed four (4) applications of Form-13 (formerly Form B) between from 01st December, 2025 – 28th February, 2026.

Decision: *The Authority considered and ratified the decisions taken on approval to four (4) applications and closure of four (4) applications of Form-13 (formerly Form B).*

Action: Member Secretary, NBA



77.09: To consider the Grants released to Uttar Pradesh State Biodiversity Board during the financial year 2025-26.

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 2025-26, the Uttar Pradesh State Biodiversity Board submitted request 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 for engaging outsourcing/contractual staff for the financial year 2025-2026.

3. In view of the above, the authority members deliberated and ratified the additional financial assistance sanctioned to Uttar Pradesh State Biodiversity Board for the financial year 2025-26.

Decision: The Authority members ratified the release of an additional amount of Rs 3,00,000 to the Uttar Pradesh State Biodiversity Board for engaging outsourcing/contractual staff for the financial year 2025-2026.

Action: Member-Secretary, NBA

77.10: Access and Benefit Sharing amount released to the beneficiaries

The Member Secretary informed the members that in accordance with Section 21 of the BD Act 2002 read with Rule 20 of the BD Rules, 2004, the NBA received Access and Benefit Sharing amount into the National Biodiversity Fund (NBF) upon execution of agreement with the applicants.

2 He further mentioned that as per the decision of 46th Authority meeting (vide agenda no. 46.05), 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.

3 In addition, the 75th Authority vide agenda item no.75.08 also authorised the Chairperson, NBA, to distribute the ABS amount to the beneficiaries, as per Rule 21 of the BD Rules 2024.

