



NATIONAL BIODIVERSITY AUTHORITY

(An Autonomous and statutory body under the
Ministry of Environment, Forests and Climate Change, Government of India)

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NBA/Tech.Gen/22/97/13/25-26/ 2275

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Sub: Procedure for processing the applications for access to Cultivated / Artificially propagated Red Sanders, including Patta land and Seized/ Confiscated Sources

The NBA regulates access to confiscated and cultivated Red Sanders, in any form, under the Biological Diversity Act, 2002, as amended in 2023. Prior approval from the NBA must be obtained by the buyers, who fall under Section 3(2) of the BD Act 2002, subject to payment of 5% of the auction or sale amount as ABS, before lifting Red Sander wood. Upon receipt of the necessary details and documents from the applicants, approval of the NBA would be granted in the form of an agreement, which will be executed between the applicant and an authorised officer of the NBA, and which will be construed as approval.

2). Whereas, the DGFT vide public notice no. 74/2015-20, dated 18th February 2019, introduced an annual quota effective from 2017-2018 & its procedure for export of RS wood from cultivation origin obtained from private land, including Patta land.

3) Whereas DGFT vide notification no. 50/2015-2020 dated 27th December 2022 further amended the export policy of RS wood exclusively sourced from cultivated / artificially propagated origin, including *patta land* and confiscated source for the State of Andhra Pradesh, Assam, Chhattisgarh, Gujarat, Madhya Pradesh, Manipur, Tamil Nadu, Telangana, Rajasthan, Maharashtra, Uttar Pradesh, Haryana and Karnataka.

4) Whereas the NBA receives applications from foreign buyers for access to Red Sanders sourced from cultivation origin/artificially propagated, including *Patta land*, to seek approval under the BD Act 2002 (amended 2023).

5). Whereas, it is noted that the 32nd Authority meeting vide Agenda no. 32.07 held on 12th December 2014, authorised the Chairman, NBA, to accord approvals to access Red Sanders applications without following the normal procedure of seeking consent or otherwise of the BMC through SBB.

6) Whereas, on 05th September 2023, the NBA reconstituted the Expert Committee on Red Sanders for examining its previous report and also to streamline and simplify the procedure for processing of applications related to cultivated and confiscated Red Sander Wood. Subsequently, the Expert Committee submitted its report, which recommended the


Checklist for Applicants and Procedures for Granting Approval by the NBA to Access Red Sanders from Cultivated and Seized/ Confiscated Sources.

7) Whereas, the Authority, in its 75th meeting held on 13.10.2025 vide agenda item no. 75.07, considered the recommendation of the Expert Committee on Red Sanders and decided that the Checklist for the applicant and procedure for processing the applications by NBA related to confiscated and cultivated Red Sanders wood were approved by the Authority.

8) In supersession of all earlier office orders/ note orders on this subject, including auctioned/ seized Red Sanders, the Competent Authority hereby prescribes the procedure for processing the applications for access to Cultivated / Artificially propagated Red Sanders, including Patta land as provided in Annexure-1 and seized/ confiscated sources as provided in Annexure-2 as per the provisions of the BDA 2002.

9) The above process shall come into force with immediate effect and will continue until further order is issued.

This is issued with the approval of the Chairperson, NBA.


(B. Balaji) 3/12/25
Member secretary, NBA.

To.

- 1) All Sectional Heads
- 2) Office of the Chairperson, NBA
- 3) Guard file

Processing Applications Received from Successful Bidders/Buyers of Seized/Confiscated Red Sanders Wood in Auctions Conducted by Different Government Agencies

The procedure for processing the applications for access to Red Sanders wood/ logs sourced from cultivation origin/artificially propagated, including *Patta land* as per the provisions of the BDA 2002 are as under:

- a) Upon receiving the application in Form-2 with a Rs 20,000/- fee deposited in the NBF, the Account section of NBA will issue a TR5 receipt to the applicant;
- b) If the applicant has paid any amount other than the application fee (including ABS amount), it shall not be taken into account;
- c) Examine whether the applicant had submitted a copy of the following duly signed and sealed details/ documents as per the checklist/guidance documents on the website;
 - (i). Certificate of Origin issued by the concerned Forest Department.
 - (ii). Agreement executed between the applicant and cultivator(s) if the applicant accesses cultivated Red Sander from private land owners/ farmers.
 - (iii). Purchase Order/buyer agreement entered between the applicant and trader(s).
 - (iv). If the applicant accesses cultivated Red Sanders from private land owners/ through traders, the following documents are required to be furnished:
 - (a) Details of private land owners/cultivators of Red Sanders
 - Name of the Land owner
 - Name of the Cultivator/Farmer
 - Address of the Cultivator/Farmer (Village, Taluk, Mandal, District & State)
 - Aadhaar number
 - Mobile Number
 - Email (if any)
 - Bank account details, including name, account number and IFSC code.
 - Quantity (in Kg) of Red Sander supplied to the trader by each farmer
 - Survey number of the *Patta*/private land along with complete address (Village, Taluk, Mandal, District & State)
 - (v). The authorisation letter from the importer sec 3(2) entity for the person of the company to sign the agreement with NBA along with his Identity Proof. In the absence of such authorisation, the importer may authorise the contact person in India to sign the agreement with NBA, issued in favour of the person authorised, along with his Identity Proof, etc.
 - (vi). Duration of commercial utilization from the date of receipt of material in his country.

- (vii). The quantity of Red Sanders wood furnished in the application form matches the Certificate of Origin issued by the Forest Department. If not explanatory note should be submitted explaining the difference/ variation/deviation.
- (viii). If the applicant proposes to export only a partial quantity of Red Sanders out of total quantity permitted by the Forest Department, it may be considered if supporting documents are found in order.
- d) Wherever applicable, relevant clarification/ documents /information may be sought from the applicant;
- e) If all the details/ documents are in order, a cover letter and a draft agreement shall be submitted for the approval of the Competent Authority.
- f) After obtaining the approval of the Competent Authority, a draft agreement shall be communicated to the applicant for execution. The applicant shall be informed to pay 5% of the purchase/ sale price to the NBF, excluding bank transaction charges (in USD only) and furnish the transaction receipt to NBA.
- g) The payment of the ABS amount shall be made to NBA by the applicant only.
- h) The account section must verify and confirm the receipt of the ABS amount as per extant BDR 2024/ABS Regulations 2025 (i.e., 5% of the purchase price excluding transaction charges) and the TR5 receipt shall be prepared and forwarded to the technical Section.
- i) Upon receipt of two copies of the signed agreement from the applicant, the legal examiner shall verify the clauses of the agreement. If all information is in order and on receiving the exact/correct ABS amount, the Authorised Signatory of NBA may sign the agreement and approve the application.
- j) A copy of the duly signed agreement and the TR5 receipt for payment of the ABS amount shall be communicated to the applicant by endorsing a copy of the agreement to the concerned SBB and Forest Department for information.
- k) NBA may dispose of the application within 90 days upon receipt of the application, complete in all aspects.
- l) The application fee and any Access and Benefit Sharing (ABS) amount paid shall be non-refundable and shall not be adjusted against any future application or transaction.

Procedure for Processing Applications Received from Successful Bidders/Buyers of Seized/Confiscated RS Wood in Auctions Conducted by Different Government Agencies.

The procedure for processing the applications for access to seized/ confiscated Red Sanders auctioned by different Central/ State Government agencies, as per the provisions of the BDA 2002 are as under:

- a. Upon receiving the application Form-2 with a Rs.20,000/- fee deposited in the NBF, the Account section of NBA will issue a TR5 receipt to the applicant.
- b. Examine whether the applicant had submitted a copy of the following duly self-attested details/ documents, as per the checklist/ guidance documents on the website;
 - (i). Certificate of Origin issued by the concerned Forest Department/ Agency.
 - (ii). Confirmation of allotment and demand notice for payment of sale value or allotment order issued by the concerned Forest Development Corporation, Government Departments, or Organisation(s) authorised to sell the seized/ confiscated Red Sanders wood.
 - (iii). Agreement executed between the applicant and the concerned department authorised to auction the seized/ confiscated Red Sanders.
 - (iv). The authorisation letter from importer sec 3(2) entity for the person of the company to sign the agreement with NBA along with his Identity Proof. In the absence of such authorisation the importer may authorise the contact person in India to sign the agreement with NBA, issued in favour of the person authorised, along with his Identity Proof (Aadhar Card) etc.
 - (v). Duration of commercial utilisation (From the date of receipt of Red Sanders material in possession of importer and end date)
 - (vi). The quantity of Red Sanders to be accessed per the Certificate of Origin/ Allotment Order/Letter of Award issued by the concerned department.
- c. Whether the details/documents furnished in the application match with the details/documents provided by the concerned Departments, wherever applicable, relevant clarification/ documents /information may be sought from the applicant;
- d. If all the details/ documents are found to be in order, a cover letter and a draft agreement shall be submitted for the approval of the Competent Authority.
- e. After obtaining the approval of the Competent Authority, a draft agreement shall be communicated to the applicant for execution. The applicant shall be informed to pay 5% of the auctioned amount to the NBF, excluding bank transaction charges (in USD only) and furnish the transaction receipt to the NBA.

- f. The ABS amount shall only be paid to the NBA by the applicant.
- g. The account section has to verify and confirm the receipt of the ABS amount as per extant BDR 2024/ABS Regulations 2025 (i.e., 5% of the auctioned amount excluding transaction charges) and the TR5 receipt shall be prepared and forwarded to the technical Section.
- h. Upon receipt of two copies of the signed agreement from the applicant, the legal examiner shall verify the clauses of the agreement. If all information is in order and on receiving the precise ABS amount, the Authorised Signatory of NBA may sign the agreement and approve the application.
- i. The applicant shall be notified a copy of the duly signed agreement and the TR5 receipt for payment of the ABS amount by endorsing a copy of the agreement/contract to the concerned SBB and Forest Department /agency for information.
- j. NBA may dispose of the application within 90 days upon receipt of the application complete in all aspects.
- k. The application fee and any Access and Benefit Sharing (ABS) amount paid shall be non-refundable and shall not be adjusted against any future application or transaction.
