



सत्यमेव जयते



2016 to  
2017

**NBA**

# ANNUAL REPORT



National Biodiversity Authority  
Chennai, India

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# N B A

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## ANNUAL REPORT

### 2016 – 2017





## FOREWORD

India is home to vast and rich diversity of biological resources that have not only provided the means of living and livelihoods across the millennia, but have been the bed rock and inspiration for India's civilizational accomplishments and its social and cultural ethics. However, the interferences made on this land over the years to meet the demand of increasing population and also the urbanization and industrialization activities have come to a steep cost to the environment and biotic endowments. The objective of National Biodiversity Authority is to implement Biological Diversity Act, 2002 and thus conserve country's biodiversity and associated knowledge, facilitate its sustainable use and ensure that benefits arising out of the use of biological resources are fairly and equitable shared with those who have been involved in conservation, use and management.

Implementing the Biological Diversity Act, 2002, is indeed a challenging task and calls for active involvement of several other ministries, stewardship at the higher level of governance like the State Biodiversity Boards (SBBs), convergence of which is the key to success. With the mandate to conserve the biodiversity of the country, utilize the same sustainably, the 2016-17 Annual Report has documented the work of the NBA at national, state and local levels, through the NBA, SBBs and BMCs at grass-root levels. The way forward and the strides to be made for achievement of all the goals before NBA are large, and we are sure that the NBA and the SBBs will work in close cooperation, for the full implementation of the provisions of the BD Act, 2002 in the coming years.

I thank the Ministry of Environment, Forest and Climate Change (MoEFCC), Members of the Authority and the various Expert Committees for their cooperation and guidance to enable us to achieve the objectives.

I would also like to record my appreciation to the officers and staff of NBA for their unstinted efforts to take the organization forward and assisted in bringing out the Annual Report 2016-17.

**B. Meenakumari**  
Chairperson, NBA





## ACKNOWLEDGEMENT

National Biodiversity Authority has come out with an account of the activities undertaken during 2016-17, keeping in line with Section 28 of the Biological Diversity Act, 2002. The Annual Report reflects the activities carried out by the NBA besides giving glimpse of the achievements in the implementation of the Act.

This period has witnessed a phenomenal increase in the constitution of Biodiversity Committees at the Panchayat level across the country. The NBA also has put in place an online filing of ABS applications during this year, as part of e-governance initiative. There is fillip in the receipt of ABS applications and the disposal rate also kept pace with the receipt due to the efforts of the Secretariat in simplifying the processing and streamlining the decision making procedure.

The Ministry of Environment, Forest & Climate Change continue to assist NBA and extend their support in effective implementation of the provisions of the Act. During the year under review, several meeting of the Authority and Expert Committees were held and I am pleased to convey my sincere thanks to the Members for their invaluable guidance and support in furthering the activities of the NBA.

Chairpersons and the Member Secretaries of the State Biodiversity Boards, the project partners like UNEP-GEF, UNDP, GIZ and Norwegian Environment Agency have been our important allies in the crucial task of implementing the provisions of the Act. I express my thankfulness to the Members of the Authority and the Expert Committees for their committed efforts and valuable guidance and hope to count upon their meaningful association in the days to come.

This report has taken shape as a result of valuable inputs and strenuous efforts from several sources and more particularly the meticulous hard work of the staff of the NBA Secretariat. I acknowledge with gratitude the unflinching support of the Chairpersons, Dr. Meenakumari, who has been guiding us in all these endeavours.

**T.Rabikumar**  
Secretary, NBA



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## EXECUTIVE SUMMARY

India enacted the Biological Diversity (BD) Act in 2002 and notified the Biological Diversity Rules in 2004. For implementation the BD Act, a three-tier institutional structure was instituted, whereby the National Biodiversity Authority (NBA), established by the Government of India in 2003 under Section 8 of the Act, occupies the apex position. Headquartered in Chennai, it implements the provisions of BD Act at the national level. State Biodiversity Boards (SBBs), established u/s 22 of the BD Act, operate at the State level. Biodiversity Management Committees (BMCs) formed at the 'local body' level, as per Section 41 of the Act constitute the third tier. All these are thus statutory bodies.

In pursuance of the objective of conserving the country's biodiversity and associated knowledge, facilitating its sustainable use and ensuring that benefits accruing from use of biological resources are fair and equitably shared with those who have been involved in their conservation, use and management, the NBA and satellite statutory bodies have been following a disciplined and target-oriented plan. Following are the highlights of progress and achievements during the year 2016-17, elaborated in the Annual Report.

During this year, four meetings of the Authority were held and the important decisions taken are narrated in this report. The NBA constituted eight expert committees – viz-Expert Committee on "Access and Benefit Sharing" for processing the applications received by the NBA; Expert Committee on red sanders to develop a comprehensive policy for utilization of the benefit sharing realized by the NBA; Core Expert Group to fine-tune the draft notification on designation of checkpoints and user country measures to implement the Nagoya Protocol on Access and Benefit Sharing; Expert Committee to revise the guidelines of Biodiversity Management Committee; Expert Committee to revise the existing agreement formats; Expert Committee on Normally Traded Commodities; Expert Committee on India Biodiversity Awards (IBA); and Expert Committee on Invasive Alien Species (IAS). During this period, 496 applications were received with respect to access of bioresources for research/commercial use, transfer of research results, intellectual property rights and third party transfer. In total, 167 agreements have been signed during this period. The NBA has also realized a sum of Rs.12.49 crores as benefit sharing, including upfront payment, royalty etc., In order to provide guidance to applicants for choosing and filing ABS application forms for NBA's approval for carrying out various activities, the NBA through National Informatics Centre has developed an online portal (e-filing) facility, which was launched by Honourable Minister for Environment, Forest and Climate Change. India, being a party to the Nagoya Protocol, NBA has uploaded 47 approvals granted in the ABS CH (Clearing House) platform and generated Internationally Recognized Certificates of Compliance during 2016-17. Under Section 38 of the Biological Diversity Act, 2002, sixteen States and two Union Territories have notified the threatened plants and animal species.

The process for implementation of different provisions of Biological Diversity Act were initiated to the states including the catalytic role in establishment of State Biodiversity

Boards (SBBs) and constitution of Biodiversity Management Committees (BMCs) by the States. These efforts were led to establishment of SBBs in all the 29 States in India. Twenty-Five SBBs have also notified their State Biodiversity Rules. So far, 62,502 BMCs were constituted and 5,466 PBRs were documented across the country. Three sites have been declared as Biodiversity Heritage sites, viz Majuli River Island in Assam, Ameenpur Lake in Telangana and Gharial Rehabilitation Centre in Uttar Pradesh. NBA has extended the financial support to SBBs for formation of BMCs, preparation of PBRs, outsourcing of manpower and activities related to strengthening of SBBs. NBA has also supported by providing financial grant to the activities, awareness programmes, publication and documentation of Biodiversity related works carried out by the universities, academic institutions and NGO's etc under the recommendation of Project Scrutiny Committee (PSC). During the year, regional meetings of SBBs in small groups were convened, in order to have a closer interaction and better understanding of their problems and challenges. A consultative meeting was also conducted with officials from Union Territories (UTs), focused on the needs and urgency of implementing the Biological Diversity Act, 2002 and prospects in the UTs to delegate the powers of the NBA. The eleventh national meeting of SBBs were conducted by NBA to share their experiences and also to discuss the issues which need to be sorted out for better and efficient functioning of SBBs to achieve the goal of conserving local bio-resources, facilitating access and benefit sharing arising out the bioresources and safe guarding of traditional knowledge.

The International day for Biological Diversity (IDB) 2016 was celebrated by all the SBBs in their respective states by organizing events, exhibitions, conference, competitions, awareness programmes. The national level celebration of IDB 2016 was organized by NBA with support from the Ministry of Environment & Forests, Climate Change (MoEF, CC), and coordinated by the Maharashtra SBB in partnership with United Nations Development Programme (UNDP) at Mumbai. The Honourable Governor of Maharashtra presented the India Biodiversity Awards 2016 to recognize the efforts in conservation of biodiversity at various levels. The important days observed by NBA for the year includes International Yoga Day, Hindi Diwas, 13th Foundation Day of NBA, World Wetland Day and Youth Day.

During the year, Biotech Consortium India Limited (BCIL), with support from the Department of Biotechnology (DBT), Ministry of Science and Technology and Centre for Biodiversity Policy and Law (CEBPOL) organized 'Awareness Workshops on Guidelines for Access to Biological Resources under the Biological Diversity Act, 2002'. The NBA participated and/or organized various workshops, exhibitions, conferences, trainings and awareness programmes, rewarding biodiversity conservers aimed at awareness generation among the researchers, students, scientists and public about the importance of conserving and protecting the biodiversity.

The Annual Accounts of the year 2016-17 and Annual Plan for 2017-18 are also reflected in this year's report.





Photography: Pradip Kumar Mahato, Kochi

# INTRODUCTION

**B**iodiversity is the variety of all forms of life. It is the variability among living organisms and their habitats, including the diversity within species, among species and within ecosystems. Traditionally, biodiversity is defined as the sum of genes, species and ecosystems over a landscape.

- Genetic diversity is considered a building block of biodiversity, facilitating fitness, adaptation and evolution.
- Species diversity is the variety of genetically dissimilar organisms present in the region.
- Ecosystem diversity is the variety of distinct landscape patterns in a given region.

Biodiversity also encompasses multiple, often conflicting and sometimes irreconcilable socio-cultural values. Cultural aspects are important in the context of an ecosystem. However, in the conventional understanding of the term 'biodiversity', beliefs, customs, practices and unique ways of communities and cultures that are so connected to their natural environment, are overlooked. The usual definition of the term delinks humans from nature. But when the cultural perspective is incorporated, the important bond between humans and their environment is acknowledged, where culture and nature are intertwined, each affecting the other.

The Indian sub-continent is home to a vast and rich diversity of biological resources, and ecosystems have not only provided the means for living and livelihoods across millennia, but have been the bedrock and inspiration for the evolution of civilization in the region and its composite spiritual and cultural ethos. They have shaped the way we

are and contributed to making us the amazingly diverse people and country that we are. However, improvements in our standards of living have come at a steep cost to the environment and biotic endowments.

Realizing the importance of conserving biodiversity, the international community put in place a legal instrument titled Convention on Biological Diversity (CBD) during the Earth Summit in 1992. India, being a signatory to this convention, has taken the lead in implementing its provisions, leading to conservation of biodiversity, its sustainable use and equitable sharing of benefits. To achieve the goals of CBD, India enacted the Biological Diversity (BD) Act in 2002 and notified the Biological Diversity Rules in 2004.

For implementation of the BD Act, a three-tier institutional structure has been instituted, whereby the National Biodiversity Authority (NBA), established by the Government of India in 2003 under Section 8 of the Act, occupies the apex position. Headquartered in Chennai, it implements the provisions of BD Act at the national level. State Biodiversity Boards (SBBs), established u/s 22 of the BD Act, operate at the State level. Biodiversity Management Committees (BMCs) formed at the 'local body' level, as per Section 41 of the Act constitute the third tier. All these are thus statutory bodies.

The objective is to conserve the country's biodiversity and associated knowledge, facilitate its sustainable use and ensure that benefits accruing from use of biological resources are fair and equitably shared with those who have been involved in their conservation, use and management.

The structure of the NBA and its allied bodies, and the efforts made by it relating to various aspects of conservation and sustainable use of biodiversity during 2016-17 are described in the following chapters.

CHAPTER

1



Photography: Ramendra Sundar Dey, Mohali

# STRUCTURE & ROLES OF THE NBA, RELATED STATUTORY BODIES AND THE GOVERNMENT

## 1.1 THE STRUCTURE OF THE NATIONAL BIODIVERSITY AUTHORITY

The National Biodiversity Authority (NBA) is headed by a Chairperson, an eminent person with knowledge and experience in sustainable management of biodiversity. It consists of 10 ex-officio members from related Ministries of the Government of India, and five non-official members who are experts in different aspects of biodiversity management.

### 1.1.1 Chairperson appointed under clause (a) of sub-section (4) of Section 8

Dr. B. Meenakumari, Chairperson, National Biodiversity Authority, Chennai.

### 1.1.2 Ex-officio members appointed under clause (b) of Sub-section (4) of Section 8

Three ex-officio members are appointed by the Central Government, viz., one representing the Ministry of Tribal Affairs in the rank of Joint Secretary or an officer of an equivalent rank, and two representing the Ministry of Environment and Forests - the Additional Director General of Forests and the Joint Secretary to the Government of India.

### 1.1.3 Ex-officio members appointed under clause (c) of Sub-section (4) of Section 8

Seven ex-officio members in the rank of Joint Secretary or an Officer of an equivalent rank are appointed by the Central Government. They deal with the following subjects:

- i. Agricultural Research and Education
- ii. Biotechnology
- iii. Ocean Development
- iv. Agriculture and Co-operation
- v. Indian Systems of Medicine and Homeopathy
- vi. Science and Technology
- vii. Scientific and Industrial Research

### 1.1.4 Non-official members appointed under clause (d) of Sub-section(4) of Section 8

Five non-official members are appointed for a period of three years. They are chosen from among specialists and scientists (having special knowledge of or experience in matters relating to conservation of biological diversity, sustainable use of biological resources and equitable sharing of benefits arising out of the use of biological resources), representatives of industry, conservationists and creators of and knowledge-holders of biological resources.

## 1.2 FUNCTIONS OF THE NBA

- Advise the Government of India on matters relating to conservation of biodiversity, sustainable use of its components and fair and equitable sharing of benefits arising out of utilization of biological resources.
- Regulate activities and issue guidelines for access to biological resources and/or associated knowledge and for fair and equitable sharing in accordance with Sections 3, 4 and 6 of the BD Act 2002. (Certain individuals/nationals/organizations require prior approval of the NBA for obtaining biological resources and/ or associated knowledge for use.)
- Take necessary measures to oppose the grant of Intellectual Property Rights in any country outside India on any biological resource obtained from India or knowledge associated with such biological resource derived from India illegally.
- Advise State Governments in selection of areas of biodiversity importance to be notified as heritage sites, and suggest measures for their management.
- Provide guidance and technical support to Biodiversity Management Committees through State Biodiversity Boards for preparing People's Biodiversity Registers.
- Perform such other functions as may be necessary to carry out the provisions of Biological Diversity Act.



Photography: Vanam Sharath, Warangal

### 1.3 STATE BIODIVERSITY BOARDS (SBBS)

The SBBS are established by the State Governments by notification in the official gazette in accordance with Section 22 of the Act. (The NBA itself exercises the powers and functions of an SBB in Union Territories.) The NBA may delegate all or any of its powers or functions to such persons or group of persons as specified by the Central Government. The SBBS comprise a Chairperson, five ex-officio members representing the departments concerned and five experts in matters relating to conservation of biological diversity, sustainable use of biological resources and fair and equitable sharing of benefits arising out of their use.

#### 1.3.1 Functions of the SBB

- Advise the State Governments, subject to guidelines issued by the Central Government, on matters relating to conservation of biodiversity, sustainable use of its components and fair and equitable sharing of benefits arising out of utilization of biological resources.
- Regulate, by granting approvals or otherwise, the request for commercial utilization or bio-survey and bio-utilization of any biological resources by Indians.
- Perform other functions necessary to carry out the provisions of the Act or as prescribed by the State Governments.

### 1.4 BIODIVERSITY MANAGEMENT COMMITTEES (BMCS)

Local bodies set up Biodiversity Management Committees (BMCs) in accordance with Section 41 of the BD Act within their areas of jurisdiction for the purpose of promoting conservation, sustainable use and documentation of biological diversity, including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms, and chronicling of knowledge relating to biological diversity. Each BMC consists of a Chairperson and six persons nominated by the local body, of whom one-third are women and 18% belong to the Scheduled Castes/Tribes.

#### 1.4.1 Functions of the BMC

- Prepare, maintain and validate People's Biodiversity Registers (PBR) in consultation with the local people. The Register provides details of access granted to biological resources and traditional knowledge, the collection fee imposed, the benefits derived and how they are shared.
- Provide advice on any matter referred to it by the State Biodiversity Board or NBA for granting approval
- Maintain data about local vairs and medical practitioners using biological resources.



## 1.5 ROLE OF CENTRAL AND STATE GOVERNMENTS

- Establish National Biodiversity Authority, State Biodiversity Boards and Biodiversity Management Committees.
- Develop national strategies, plans, programmes for the conservation, promotion and sustainable use of biological diversity.
- Issue directives to State Governments to take immediate ameliorative measures for the protection of biodiversity-rich habitats, threatened by overuse, abuse or neglect.
- Integration of the conservation, promotion and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies. Endeavour to respect and protect the knowledge of local people relating to biological diversity, as recommended by the NBA.
- Assess the impact of projects on the environment and biodiversity and regulate, manage or control the risks or adverse impact of use / release of living modified organisms on conservation, and study the link between sustainable use of biological diversity and human health.
- The Central Government may, in consultation with the NBA,
  - a) Notify threatened species and prohibit or regulate their collection, rehabilitation and conservation
  - b) Designate institutions as repositories for different categories of biological resources
  - c) Exempt certain biological resources normally traded as commodities.
- State Governments, in consultation with the local bodies, notify Biodiversity Heritage Sites, and frame rules for management and conservation of all the Heritage Sites (in consultation with Central Government) and launch schemes for compensation to/rehabilitation of affected people.



CHAPTER

2



Photography: Nagaraju PVS, Muthayapalem

# MEETINGS OF THE NBA DURING 2016-17

As per Section 12 of the BD Act, 2002 and Rule 10, the NBA met four times during the year to deliberate on various issues and give directions/suggestions to the NBA Secretariat for appropriate action. Besides, the Authority considered Access and Benefit Sharing (ABS) applications along with the recommendations of the Experts Committee on ABS, and handed down decisions/suggestions to the NBA Secretariat. The agenda and outcome of the meetings held are outlined below:

### 2.1 38<sup>TH</sup> NBA MEETING

The 38th meeting of the NBA was held on 4th July, 2016 at Chennai under the chairmanship of Dr. B. Meenakumari, Chairperson, NBA. Among the important topics discussed were:

- Proceedings of the 38th meeting of the Executive Committee on ABS held on 18th May 2016
- A proposal to give Awards and Fellowships to various organizations in recognition of outstanding contributions to the fields of environment, plants and animals
- Procedure for closing incomplete long-pending applications
- An amendment to the Procedure for Closing of Applications received under the Biological Diversity Act, 2002
- Establishment of Biodiversity Councils in Union Territories as per sub-section (2) of Section 22 of the Biological Diversity Act, 2002
- Representations by a few culture collection centres in India regarding the NBA's decision on deposits of micro-organisms by Indian researchers/scientists in foreign repositories.
- Annual Accounts for the year 2015-16.

### 2.2 39<sup>TH</sup> NBA MEETING

The 39th meeting of the NBA was held on 14th October, 2016 at NBA. Dr.B.Meenakumari was in the Chair. The topics under discussion included:

- Revised Guidelines for Operationalization of Biodiversity Management Committees
- Proposal to digitize People's Biodiversity Registers
- Training programme for officials of State Governments and State Biodiversity Boards
- Initiating action under Section 66 of the Patents Act, 1970, for revocation of patents in public interest
- Organizing a session on Biodiversity at the 104th Indian Science Congress (January 3-7, 2017).

### 2.3 40<sup>TH</sup> NBA MEETING

The 40th meeting of the National Biodiversity Authority was held on 21st December, 2016, at New Delhi under the Chairmanship of Dr.B.Meenakumari. The topics that were discussed included:

- Proceedings of the 39th meeting of Expert Committee on ABS held on 26th September, 2016
- Proceedings of the 40th meeting of the Experts Committee on ABS held on 19th November, 2016
- Proposal to authorize the Chairperson, NBA, to clear Form-I applications for non-commercial research by persons falling under section 3(2)
- Proposal by the Andhra Pradesh Forest Department to release accrued funds from the benefit sharing component of access to Red Sanders wood.
- Outcome of the 11th National Meeting of State Biodiversity Boards held on 30th September & 1st October 2016



- Implementation of Retirement Gratuity and Death Gratuity for NBA Officers / Staff
- Implementation of Modified Assured Career Progression (MACP) for NBA Officers/Staff
- Revised Proposal for Creation of 58 posts in the NBA
- Regular Budget Head and Object Heads in terms of Primary Units of Appropriation Under DFPR
- Budget for the year 2017 - 2018 & Expenditure position as on 30/11/2016
- Release of 95% of the benefit sharing amount to the Tamil Nadu State Biodiversity Board
- Proposal for digitalization of People's Biodiversity Registers.



## 2.4 41<sup>ST</sup> NBA MEETING

The 41st NBA meeting was held on 27th March, 2017 at New Delhi under the Chairmanship of Dr.B.Meenakumari. Important items on the agenda included deliberations on

- Proceedings of the 41st meeting of the Experts Committee on ABS held on 6th & 7th February, 2017
- Proceedings of the 42nd meeting of the ABS Experts Committee held on 7th March, 2017
- The report of the Experts Committee on Red Sanders
- Report of the National Institute of Ocean Technology on alleged harmful effects of the seaweed (*Kappaphycus alvarezii*) in the southern coastal districts of Tamil Nadu
- Exempting IPR applications filed prior to the year 2004 from the purview of the BD Act
- Proceedings of 6th Meeting of the Experts Committee on agro-biodiversity held on 28th September 2016
- Proceedings of the 12th Meeting of the Experts Committee on Normally Traded Commodities
- The scheme for engaging consultants and the scheme for introduction of internship for students, research scholars/fellows and All India Service Probationers in NBA.

4 MEETINGS HELD

CHAPTER

# 3



Photography: Sumanta Basu, Singur

# COMMITTEES CONSTITUTED BY THE NBA - AND THEIR ACTIVITIES

During the year, the following committees were constituted by the Authority as per Section 13 of the Biological Diversity Act 2002, to ensure that the various provisions of the Act and the Rules framed under it are effectively implemented:

### 3.1 EXPERTS COMMITTEE (EC) ON ACCESS AND BENEFIT SHARING (ABS)

This Experts Committee evaluates

- Applications seeking prior approval for access to biological resources and/or associated knowledge for research
- Bio-survey and bio-utilization and commercial utilization
- Transfer of results of research
- For obtaining Intellectual Property Rights for inventions based on research or information on biological resources
- Transfer of accessed biological resources to third parties received by NBA
- Techno-legal issues as and when referred by the NBA

The recommendations of the Committee are placed before the Authority (Governing body of NBA) for consideration. During the year, the committee met five times, viz. on 18th May 2016, 26th September 2016, 19th November 2016, 6th & 7th February 2017 and 7th March 2017, and evaluated around 360 applications. Besides, the EC provided techno-legal inputs on various generic issues such as accessing non-Indian biological resources, applicability of the BD Act to the claim of improved design without using biological resources and modalities for levying upfront payments.

Further, the Sub-Committee Constituted by the Experts Committee on ABS to deal with issues related to the violation of the provisions of the BD Act met twice and submitted report to the Experts Committee for consideration. The report, incorporating the EC's recommendation, was placed before the Authority. After due consideration, the NBA has decided to refer the report to the Ministry for further action.



### 3.2 MEETING OF THE EXPERTS COMMITTEE ON RED SANDERS TO DEVELOP A COMPREHENSIVE POLICY FOR UTILIZATION OF THE BENEFIT SHARING COMPONENT REALIZED BY THE NBA FROM ACCESS TO RED SANDERS WOOD

At the 32nd Authority meeting held during December 2014, it was decided that an Experts Committee should be formed to develop a comprehensive policy for utilizing the amount realized by the NBA/SBBs as benefit sharing from the access of Red Sanders wood, for protection, conservation and sustainable use of the Red Sanders. Subsequently, an 'Experts Committee on Red Sanders' was constituted during March 2015. During the year 2016-

2017, EC met four times, i.e on 8th & 9th July, 2016, 11th & 12th August, 2016, 14th & 15th February, 2017 and 28th February, 2017 and discussed various issues.

Further, the Experts Committee on Red Sanders formed a drafting committee to prepare the final report of the EC. Accordingly, the drafting committee met seven times between 30th August, 2016 and 18th January, 2017, and prepared the final report of the Expert Committee on Red Sanders. The report was tabled during the 11th meeting of the EC and was approved after discussion. The EC on Red Sanders officially submitted the report to the NBA on 28th February, 2017. The authority considered and approved it during its 41st meeting.



### 3.3 MEETING OF CORE EXPERT GROUP TO FINE-TUNE THE DRAFT NOTIFICATION ON DESIGNATION OF CHECKPOINTS AND USER COUNTRY MEASURES TO IMPLEMENT THE NAGOYA PROTOCOL ON ACCESS AND BENEFIT SHARING

Pursuant to the decision taken at its 32nd Authority meeting, the NBA submitted a draft notification to the MoEFCC on Designation of Check Points and User Country Measures to implement the Nagoya Protocol on ABS for notification as an executive order. The MoEFCC informed that the draft notification communicated may be reconsidered and revised under CEBPOL's work plan, in the light of the outcome of the work .. The CEBPOL, with inputs from the NBA, revised the draft notification. A Core Experts Group (CEG) was also constituted to re-examine and fine-tune the draft notification in the light of the report submitted by the CEBPOL.

Subsequently, a few members of the CEG met informally on 6th February, 2016 and revised the draft notification. Thereafter, in pursuance of the decision taken at the meeting held between the MoEFCC and the Department of Industrial Policy & Promotion, Ministry of Commerce and Industry on 23rd August, 2016, a nominee of the Department was

inducted as a Member of the CEG on 22nd November, 2016.

A meeting of the CEG on 3rd March, 2017 at New Delhi discussed various issues relating to designation of checkpoints and user country measures.

### 3.4 EXPERTS COMMITTEE TO REVISE THE GUIDELINES FOR BIODIVERSITY MANAGEMENT COMMITTEES

The guidelines for operationalization of Biodiversity Management Committees (BMCs) were developed by the National Biodiversity Authority in 2013. State Biodiversity Boards followed the guidelines to form and manage the BMCs. Based on their field experience, several States provided suggestions and inputs for revision of the guidelines. Consequently, NBA re-constituted the Experts Committee on BMCs to revise the guidelines. The Committee met twice - on 16th July, 2016 and 24th August 2016 and discussed the suggestions / inputs received from stakeholders. Based on the discussions, the Committee submitted its report along with the revised guidelines. The NBA considered the report at its 39th meeting and formed a small group to fine-tune the draft guidelines.



### 3.5 MEETING OF EXPERTS COMMITTEE TO REVISE EXISTING AGREEMENT FORMATS

Based on the decision taken at the 32nd NBA meeting, an Experts Committee was constituted to revise existing agreement formats in the light of recent developments such as the notification of Guidelines on Access to Biological

Resources and Associated Knowledge and Benefits Sharing Regulations, 2014, and in accordance with the Nagoya Protocol on ABS. The Experts Committee met in June 2016 and submitted its report to the NBA for consideration. The revised formats are now being used for entering into agreements with applicants under the BD Act.



### 3.6 12TH MEETING OF THE EXPERTS COMMITTEE ON NORMALLY TRADED COMMODITIES

The NBA organized the 12th Meeting of the Experts Committee on Normally Traded Commodities (the first of the reconstituted body) on 19th December, 2016, at NBA, Chennai under the Chairmanship of Shri. D.K. Ved, IFS (Retd.), with Shri. C. Achalender Reddy, IFS, as Co-Chair. The EC considered the proposals received from Indian Paper Manufacturers Association (IPMA), Shellac and Forest

Products Export Promotion Council (SHEFEXIL), Uttarakhand Jadi-Buti Evam Kirana Association, Department of Agriculture, Co-operation & Farmers Welfare (DAC&FW), MoA&FW and the Marine Products Export Development Authority (MPEDA) as well as a representation made by Hon'ble MP (LS), Shri. Ramesh Bais, relating to the inclusion of Sal (*Shorea robusta*), Kokum (*Garcinia indica*) and Mango (*Mangifera indica*) in the MEIS Scheme.



### 3.7 EXPERTS COMMITTEE ON INDIA BIODIVERSITY AWARDS (IBA)

The NBA, at its 38th meeting, decided to constitute a committee to formulate the procedure, categories, selection process, fund-flow mechanism etc. for granting awards in recognition of achievements in the field of biodiversity in India. It was also suggested that the experts involved in a similar exercise by the MoEF&CC – UNDP India Biodiversity Awards be inducted into the committee.

Accordingly, an Experts Committee was constituted under the Chairmanship of Prof. M.S Swaminathan on January 11, 2017, to discuss the institution of the India Biodiversity Awards. The Committee discussed key issues and developed a comprehensive proposal on the subject. The Committee decided to name the awards the 'India Biodiversity Awards', thus capturing the very essence of all the categories (Conservation, Sustainable use, Access and Benefit Sharing and Governance) of prizes.

The broad guideline for the selection committee, timelines for various stages of selection, application formats and evaluation criteria were developed by the UNDP and circulated to committee members for final inputs and comments. The Committee suggested four categories of awards to be given once in two years:

1. Conservation
2. Sustainable use of biological resources
3. Successful mechanisms/models for access and benefit sharing
4. Best biodiversity management committee/institutions of biodiversity governance including BMCs.

The first category was further divided into two sub-categories - individuals and institutions – to be recognized separately, bringing the total number of awards to eight.

The Committee felt recipients of this prestigious National Award should be recognized in a fitting manner and proposed to enhance the cash prize for each award to Rs 5 lakhs in line with other prizes like the Indira Gandhi Parayavaran Puraskar. To protect the integrity of the Awards and avoid conflict of interest, it was proposed that the India Biodiversity Awards could essentially be funded by the National Biodiversity Authority / Ministry of Environment, Forest and Climate Change.

The Committee strongly recommended that UNDP serve as Knowledge and Facilitation Partner for the India Biodiversity Awards 2018 and assist NBA in organizing and conducting the Awards based on their experience of successfully executing three rounds of IBA.

### 3.8 EXPERTS COMMITTEE ON INVASIVE ALIEN SPECIES

The first meeting of the Experts Committee (EC) on Invasive Alien Species was held on 12th January 2017 at the NBA, Chennai. This committee was constituted to prepare the comprehensive list of invasive alien species in India, identify species that are most harmful, and develop implementable strategies for their effective management. The Committee discussed varied issues such as the need for standardization of terminology for discrimination of various kinds of introduced species, increasing threat posed by invasive alien species, impacts of invasive alien species in protected area networks, need for an Action Plan for the prevention, control, eradication and management of such species, urgent need to manage the species in islands and the need to create awareness among all stakeholders to minimize the impact of alien invasion on biodiversity. Based on the discussions, the Committee made some recommendations on how to proceed in the context of Invasive Alien Species in India.



# 8 COMMITTEES FORMED

CHAPTER

# 4



Photography: Augustin Joseph, Hyderabad

## **ACTIVITIES TO REGULATE ACCESS TO BIOLOGICAL RESOURCES AND ASSOCIATED TRADITIONAL KNOWLEDGE, AND PROMOTE FAIR AND EQUITABLE BENEFIT SHARING**

## 4.1 STATE BIODIVERSITY BOARDS

All the 29 States have established State Biodiversity Boards (SBBs). Similar initiatives are being taken to implement the Biological Diversity Act, 2002 by constituting Biodiversity Councils/Bodies in the Union Territories of India. Out of the 29 SBBs, 25 have notified their State Rules, including Goa, Punjab and Uttarakhand, which notified their rules during the period under consideration. Till the time of going to print, 62,502 BMCs were constituted and 5,466 PBRs were prepared across the country.

### *Declaration of Biodiversity Heritage Sites (BHS) under Section 37 of the Biological Diversity Act, 2002*

In the year 2016-17, the States of Assam, Telangana and Uttar Pradesh declared three areas as Biodiversity Heritage Sites under the provisions of Section 37 of the Biological Diversity Act. Here are the details:

State	Name	Location	Notification No.
Telangana	Ameenpur Lake	Sangareddy District	449/EFS&T (FOR.II) Department, dated 21.11.2016
Assam	Majuli River Island	Majuli District	FRW 57/2005/Voll/14 dated 29.03.2017
Uttar Pradesh	Gharial Rehabilitation Centre	Kukrail, Lucknow	No 1348/XVI-5-2016-15/2016 dated 11.08.2016

## 4.3 NBA'S GRANT-IN-AID FOR AWARENESS PROGRAMME ON BIODIVERSITY

With relevance to its core mandate of implementing the Biological Diversity Act, 2002, NBA supports the activities, awareness programmes and events of Universities / Colleges, academic institutions, State Biodiversity Boards, etc. to a limited extent. The NBA also extends financial assistance towards publication or documentation of new and original works on biodiversity from time to time. In support of the above activities, the NBA sanctioned financial assistance of Rs.50, 88,534.00 during the year 2016-17. The Proposals Scrutiny Committee (PSC) was reconstituted in 2016, and presently consists of three external and three internal members.

## 4.4 MEETING OF STATE BIODIVERSITY BOARDS & UNION TERRITORIES

### *4.4.1 First Regional meeting of SBBs on 10th May 2016 at Chennai*

During the year, meetings of SBBs in small groups were convened region-wise, in order to have a closer interaction with them and better understand their problems and challenges. In the first meeting held in Chennai, SBBs of Andhra Pradesh, Goa, Karnataka, Kerala, Maharashtra, Tamil Nadu and Telangana participated. Matters related to overall functioning of SBBs, constitution of BMCs and preparation of PBRs, Access and Benefit Sharing, declaration of Biodiversity Heritage Sites (BHS) and Threatened Species were discussed. The meeting was attended by Shri. Rajendra V. Arlekar, Hon'ble Minister for Panchayat, Environment and Forests, Government of Goa, and Chairman, Goa SBB. Representatives of State Biodiversity Boards shared their opinions and progress of activities relating to implementation of the BD Act in their respective areas of jurisdiction.

#### 4.4.2 Second Regional meeting of SBBs on 6th June 2016 in New Delhi

The second region-wise meeting was convened with SBBs of Gujarat, Rajasthan, Haryana, Madhya Pradesh, Chhattisgarh, Jharkhand, Uttar Pradesh, Uttarakhand, Himachal Pradesh, Jammu & Kashmir and Punjab. The meeting was attended by Dr. Amita Prasad, Additional Secretary, MoEFCC, Dr. Sujata Arora, Advisor, MoEFCC and the Chairperson and Secretary, NBA, along with officials from the Ministry. The Additional Secretary wanted the BMC network to be completed by 2020 and the composite funds of panchayats used for biodiversity-related matters. Smt. Prasad called for integration of biodiversity with health and livelihood for overall good, and suggested appointing

a brand ambassador or champion of biodiversity to promote the cause.

#### 4.4.3 Third Regional meeting of SBBs on 22nd August, 2016 at Kolkata

The State Biodiversity Boards of Arunachal Pradesh, Assam, Haryana, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Sikkim, Tripura and West Bengal participated in the 3rd region-wise meeting. The NBA expressed willingness to enter into partnering programmes if SBBs prepared modules in local languages in association with State Departments like Panchayati Raj. SBBs were also requested to take the help of State Rural Development Agencies or institutes for capacity building at the local level.



#### 4.4.4 Consultation with officials of Union Territories

A Consultative Meeting was held on 18th January 2017 at Chennai with representative officials of Union Territories. It primarily focussed on the need and urgency of implementing the Biodiversity Act, 2002 and prospects in the UTs to delegate the powers of the NBA. Representatives of the

Andaman & Nicobar Administration, Puducherry and the National Capital Territory of Delhi attended the meeting. It was decided that the UTs would convey their concurrence along with an indicative list of officials to the NBA for necessary action.



NBA released  
₹2,02,19,888 towards the  
formation of 418 new BMCs  
and ₹5,02,15,000/- for  
preparation of 581 PBRs  
across the country during  
2016-17

CHAPTER

5



Photography: Aashish Vyas, Mumbai

# **APPROVALS GRANTED UNDER THE BIOLOGICAL DIVERSITY ACT, 2002**

### 5.1 ACCESS AND BENEFIT SHARING (ABS)

The objectives of the Biological Diversity Act, 2002, are conservation of biological resources, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of the same. Accordingly, the National Biodiversity Authority is mandated to regulate activities of access to biological resources and/or associated knowledge for research, bio-survey and bio-utilization, commercial utilization, obtaining Intellectual Property Rights, transfer of results of research and transfer of accessed biological resources and/or associated knowledge. The procedures to be followed by the applicant are outlined in Sections 3, 4, 6, 19 & 20 of the Act, Biological Diversity Rules 2004 and ABS Regulations 2014.

The NBA receives applications in this connection from various stakeholders, viz., Non-Indian individuals or entities and Indian individuals or entities. These applications are examined by an Experts Committee constituted for the purpose.

Detailed information relating to applications are tabulated below:

Since, the inception of the NBA, 1677 applications have been received from various stakeholders (find details below). During the period under consideration, the NBA received 496 applications.

### 5.2 BENEFIT SHARING REALIZED

During this period, the NBA realized a sum of Rs.12.49 crores as benefit sharing, including upfront payment, royalty, etc.

Out of the benefit sharing amount realized on the access of Red Sanders, the NBA has distributed a sum Rs. three crores, as a first instalment, to the Andhra Pradesh Forest Department through the Andhra Pradesh State Biodiversity Board as per the recommendation of the EC on Red Sanders approved by the Authority.

The NBA released Rs 32 lakhs to the Tamil Nadu Biodiversity

Form no.	Purpose of application	By whom
I	Access of biological resources and/or associated traditional knowledge for research, commercial utilization, bio-survey or bio-utilization	Non-Indian, NRI, Foreign entity or Indian entity having non-Indian participation in share capital or management
II	Transfer the results of research	Any Indian/non-Indian or entity to any non-Indian, NRI, foreign entity or Indian entity having non-Indian participation in share capital
III	Applying for Intellectual Property Rights	Any Indian/ Non-Indian or entity
IV	Transfer of biological resources/knowledge already accessed, to a third party	Any person who obtained approval of NBA in Form I to Indians/Non-Indians or entities

### Schematic Presentation of Processing of Applications under Biological Diversity Act, 2002 and Rules 2004



\* For details please go through Biological Diversity Act, 2002 & Rules, 2004

Board for distributing to beneficiaries in four southern coastal districts of the State. The money was part of the realized benefit sharing component from M/s Pepsico

Holdings India Pvt. Ltd. and P.S.Ganesan & Sons, Tuticorin, towards access of seaweeds in 2009-10.

Form	Category	Applications Received Since 2004
Form I	Access to biological resources and/or associated traditional knowledge for research / commercial utilization	313
Form II	Transferring results of research for monetary consideration or otherwise.	50
Form III	Seeking 'No objection' certificate to obtain Intellectual Property Rights	1189
Form IV	Third party transfer of accessed biological resources and/or associated knowledge	81
Form B	Conducting non-commercial research or research for emergency purposes outside India by Indian researchers/ government institutions using biological resources	31
	Not applied in prescribed form and fee	13
<b>Total</b>		<b>1677</b>

### 5.3 INTERNATIONALLY-RECOGNIZED CERTIFICATE OF COMPLIANCE (IRCC)

Under Article 17 of the Nagoya Protocol on access to genetic resources and fair and equitable sharing of benefits arising from their utilization, the parties are required to issue a permit or its equivalent as evidence that access to genetic resources was based on consent after prior intimation and that mutually agreed upon terms were established. Since India is a party to the Nagoya Protocol, NBA uploaded 47 approvals granted in the ABS CH platform and generated Internationally Recognized Certificates of Compliance during 2016-2017.

### 5.4 LAUNCH OF E-FILING OF ABS APPLICATIONS

The NBA, through the National Informatics Centre, has developed an online portal for filing ABS applications. The e-filing facility was launched on 30th March 2017 by the Hon'ble Minister for Environment, Forest and Climate Change. It allows online filing of ABS applications seeking the NBA's approval for carrying out various activities. The portal is user-friendly and provides step-by-step guidance for choosing and filing appropriate application forms. It offers tips, and pop-up messages help easy filing. Mandatory columns are marked. The portal makes the process of filing ABS applications easier and also reduces the processing time at the NBA Secretariat, paving the way for timely disposal of applications.



# e-filing of ABS application launched

CHAPTER

# 6



Photography: Sangram Govardhane, Mumbai

# MEASURES TAKEN IN RESPECT OF INTELLECTUAL PROPERTY RIGHTS RELATED TO GENETIC RESOURCES AND ASSOCIATED KNOWLEDGE

Genetic resources and associated knowledge constitute the raw materials for bio-prospecting, which is one of the fastest growing R&D sectors in the world. Bio-prospecting contributes to the creation of value-added products, which in turn has enormous economic potential. Intellectual Property Rights (IPR) are used as a legal tool to create monopoly rights over this highly valuable information and thereby ensure market success. However, creation of private property rights through the grant of patents can lead to impediments for future research. Even though the holders of IPR derive significant benefits, these benefits will not be shared with the actual conservers and holders of biological resources and associated knowledge. The Convention on Biological Diversity aims at equitable distribution of the benefits arising out of such research and commercialisation of biological resources, including through IPR, among the users and providers. It attempts to balance the competing interests of these stakeholders by creating an international mandate for access through prior informed consent and benefit sharing based on mutually agreed upon terms.

India enacted the Biological Diversity Act, 2002 for implementing the triple objectives of CBD, viz., conservation of biological resources, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resources. Section 6 of the BD Act requires any person applying for Intellectual Property Rights for an invention based on any research or information on a biological resource obtained from India to obtain prior approval from the NBA. Even so, there are attempts to patent inventions based on biological resources and associated knowledge obtained from India without complying with the Access and Benefit Sharing obligations. The NBA is empowered under Section 18(4) of the Act to take measures necessary to oppose grant of IPR outside India violating Section 6.

The 35th meeting of the NBA held on 13th October, 2015 discussed the issue and directed the NBA Secretariat to

take necessary measures to oppose such IPR applications. So far, NBA has initiated action in 10 cases in various patent offices around the world. Most of these patent applications, for which measures have been taken under section 18(4), relate to various nutraceutical, pharmaceutical and cosmetic compositions. These compositions make use of various biological resources from India which include medicinally-valued substances like turmeric (*Curcuma longa*), Indian Gooseberry (*Emblica officinalis*), neem (*Azadirachta indica*), ginger (*Zinziber officinale*), Ashwagandha (*Withania somnifera*), centella (*Centella asiatica*), *Terminalia arjuna*, Indian Bay Leaf (*Cinnamomum tamala*), *Aloe vera*, *Sphaeranthus indicus*, etc. One such patent application which was filed at the Chinese Patent Office involves the use of Red Sanders (*Pterocarpus santalinus*), which is a highly valuable species endemic to India.

Article 15 of the CBD specifically upholds the sovereign rights of State to determine access to its genetic resources and insists that access to genetic resources shall be subject to the national law of Contracting Party providing such resources. Pursuant to the international obligations under the CBD and in accordance with the provisions under the respective foreign patents laws, observations were filed in European Patent Office, Canadian Intellectual Property Office, State Intellectual Property Office (China) and World Intellectual Property Office. These observations have led to a few applicants approaching the NBA to obtain prior approval, not only for the patent application in question but also for several other applications where inventions make use of a biological resource obtained from India.

List of observations filed as on 31st March, 2017

PATENT OFFICE	No. OF CASES
European Patent Office	7
Canadian Intellectual Property Office	1
Chinese Patent Office	1
World Intellectual Property Office	1
<b>Total</b>	<b>10</b>



Photography: Amitava Goswamy, Jamshedpur



CHAPTER

7

Photography: Dipesh Vibhutrari Bhatt, Gujarat

# PROGRAMMES AND ACTIVITIES OF STATE BIODIVERSITY BOARDS

## ANDHRA PRADESH

The State Biodiversity Board conducted four meetings during this period, held 20 awareness programmes and constituted 812 BMCs at the village level, five at the Block level and one at the Municipal level. The International Day for Biological Diversity 2016 was celebrated by the Board with an exhibition of various live cattle breeds such as the Ongole Bull, Punganur Cow and Ox and Haryana Breed cattle, and a display of paddy grains and medicinal plants. Biological Conserver Awards--2016 were distributed to Sri.

N.V. Sivaramaprasad, Asst. Conservator of Forests, working as DCF, TTD, Tirupati, Kum. Aparna, a research scholar from Andhra University, Shri Sreenivasulu, a freelance journalist from Visakhapatnam and four others for their contribution towards the conservation of biodiversity and creating awareness in this regard. A Field Guide on the Biodiversity of Andhra Pradesh was also released to mark the occasion.



## ARUNACHAL PRADESH

The SBB convened one meeting during the year. Out of 92 BMCs constituted, 34 were set up during the period under consideration. A total of 43 PBRs have been prepared so far. Under Sec.24 (1), three applications were approved. The International Day for Biological Diversity (IDB), 2016 was celebrated by the Biodiversity Board at Doji, West Siang District. More than 300 participants from 12 villages attended the programme. The Biodiversity Management Committees of the District, Panchayat representatives,

schoolchildren, NGO representatives and officers from the line Department also participated. As a part of the celebration, an awareness lecture series on the themes 'Mainstreaming Biodiversity: Sustaining People and their Livelihoods' and 'Biodiversity Conservation' were conducted. The Board released a pamphlet titled Protected Areas in Arunachal Pradesh. It contains information on the Biosphere Reserve, National Parks and Wildlife Sanctuaries in the State.



## ASSAM

Three Board meetings were held during 2016-17. So far, 189 BMCs have been constituted and 12 PBRs prepared across the State. In addition, 16 BMCs were constituted in Bodoland Territorial Council and 10 BMCs in Karbi Anglong Autonomous Council. Two books titled Edible Bio-resources & Livelihoods and Common Spiders were published by the Board during the period of review. Under Sec.24 (1), five applications were approved. IDB 2016 was celebrated by the Board. About 1500 schoolchildren and local people

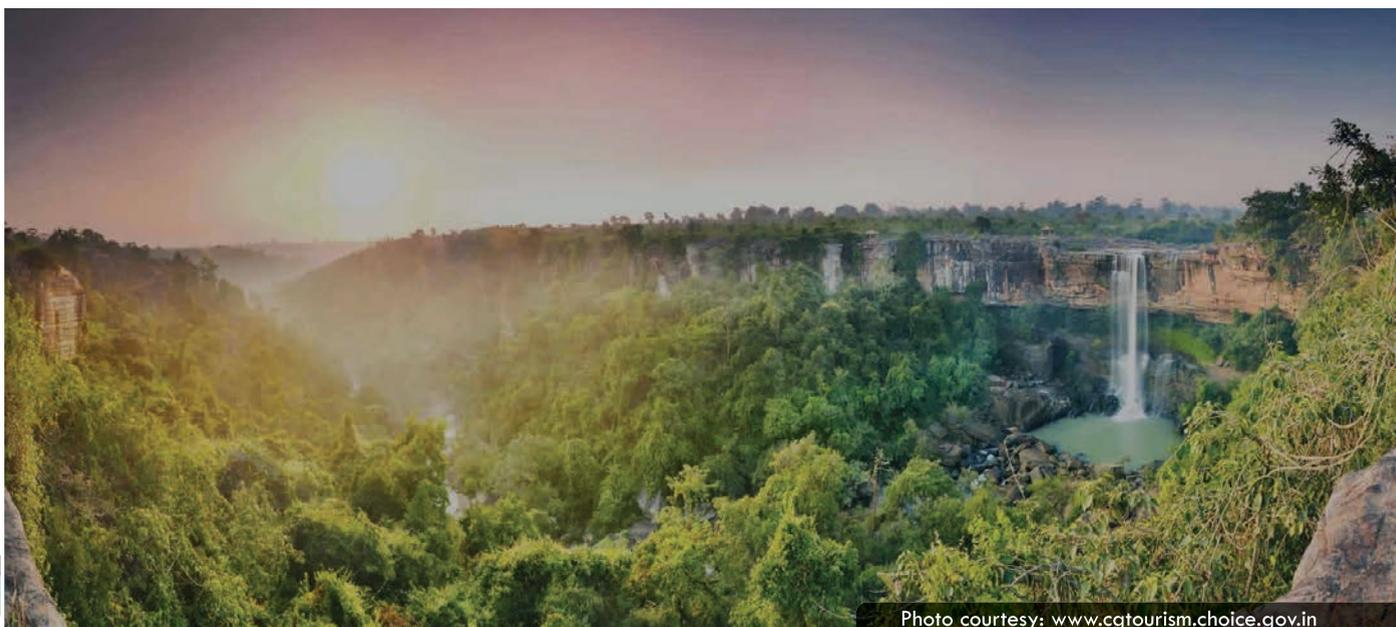
were involved in plantation activity, and economically viable plants were distributed to villagers. The Board conducted Capacity Building workshops for 152 BMCs. It also made a documentary film on 'Biodiversity of Assam' besides small films on themes like Subsistence Value of Forests, Traditional Knowledge, Human-Elephant Conflict, Trades in NTFP and Life of a Forest Guard. The Board is undertaking collaborative research and conducting internship programmes on biodiversity conservation.



## CHHATTISGARH

The Chhattisgarh State Biodiversity Board has so far constituted 129 BMCs, out of which, 84 were set up during the period under consideration. A State-level celebration of IDB 2016 was organized. A stall was set up by the Chhattisgarh Medicinal Plant Board displaying various

medicinal plants and products made with them. Two books -- Flora & Fauna of Jungle Safari and Avifaunal Diversity of Jungle Safari as well as a brochure on Snakes and other reptiles of Chhattisgarh (English) were released by the Board.



## GOA

During 2016-17, Goa Biological Diversity Rules, 2017 were notified. The Goa State Biodiversity Board was appointed as a Nodal Agency for Goa State Wetland Authority, Government of Goa. The Member Secretary, GSBB, was designated as Nodal Officer for the State-Level Steering Committee (SLSC) for the National Adaptation Fund on Climate Change (NAFCC). One Board meeting was conducted during the year. As on 31st March 2017, a total of 112 BMCs were constituted by the Board. GSBB celebrated IDB 2016 with the support of NBA at Panaji. During the year, a capacity-building programme was conducted for media and private sectors to strengthen the implementation of ABS and better understanding of the Biological Diversity Act, 2002.

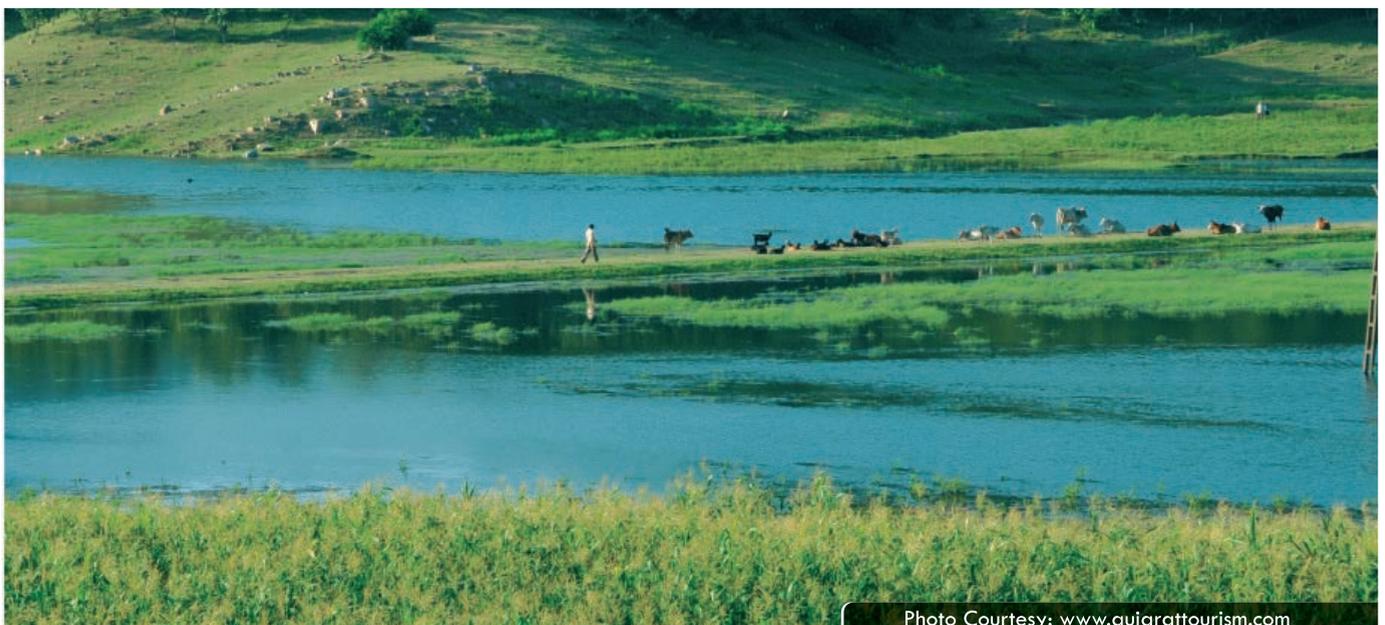
Talks were held on 'Probable effect of Climate Change on the Coastal Geomorphology and its impact on the Biodiversity', and on Intellectual Property Rights. The latter was delivered by Dr. Sharana Gouda, Assistant Controller of Patents and Designs, Patent office, Government of Goa. The Board organised a campus visit as a part of training for Technical Support Groups (TSGs) in preparing the PBR. It also organized focal group meetings for all line departments and media personnel for implementing the Biological Diversity Act 2002 and Rules 2004 in the State. Similar group meeting were also conducted for BMCs to promote understanding of concepts such as Prior Informed Consent, Mutually Agreed Terms and Material Transfer Agreements.



## GUJARAT

During 2016-17, two Board meetings were conducted. The total number of BMCs was 6900, and documented PBRs 957 as on 31st March 2017. One application each under

Sec.23(B) and Sec.24 (1) of the Act were approved. Nine awareness workshops were conducted during the year.



## JAMMU & KASHMIR

The Jammu & Kashmir Government issued orders for the constitution of an Experts Committee to examine and finalize the list of 'Threatened and Normally Traded Commodities' under Sections 38 and 40 of the BD Act, 2002. The Board celebrated IDB at Purthu-Basohli in Kathua District and a large number of people participated. The programme included a painting competition, a debate, a quiz on

biodiversity, a cultural programme and an exhibition by various Government departments. The event had wide media coverage. The J&K SBB held an Experts Committee meeting on 29th March 2017 for notification of RET species of plants and animals in the State and review of the list of biological resources of J&K for inclusion as NTCs.



Photography: Sudip Majumder, Kolkata

## JHARKHAND

During the year under review, the members of the Board met twice. District-level Technical Support Groups (TSGs) for all the District of the State were constituted by the Board. Out of the 569 BMCs set up, 462 were formed during the period under consideration. The total number of PBRs was 11, as on 31st March 2017. The International Day for Biological Diversity 2016 was celebrated at the

State Capital. The Board organized essay competitions in various schools of Ranchi on the occasion with the help of the Times of India Group. The Board also celebrated 'World Sparrow Day' on 22nd March 2017. Besides this, a booklet on General Awareness of Biodiversity and pamphlets on Biodiversity Act & Rules, Role and Functions of BMC etc., were published by the Board.



Photography: Suraj Kumar, Ranchi

## KARNATAKA

During the year, three Board meetings were held. The total number of BMCs stood at 4192 as on 31st March 2017. So far, the Board has prepared 2152 PBRs. Of these, 1106 were completed during 2016-17. The Board has accorded the Tathaguni Estate (Devika Rani Roerich Estate) the tag of Biodiversity Heritage Site under Section 37 of the Biological Diversity Act, 2002. On the occasion of IDB 2016, a workshop was organized for BMC members at the Forest Training Institute. The Board also organized

a Walkathon on 22nd May 2016 for the general public to create awareness and involve the new generation in conservation activities. Around 300 participants took part in the Walkathon. Handheld placards were also used to spread the message and create awareness about conserving Biodiversity. The Board has developed a brochure to facilitate understanding of the Biological Diversity Act, 2002 and its ABS provisions.



Photography: N. A. Naseer, Ernakulam

## KERALA

Kerala has a complete State-wide network of BMCs in all the 978 Panchayats, 60 Municipalities and five Corporations. The State Biodiversity Board has so far prepared 814 village-level, 38 municipality-level and two district-level PBRs. During 2016-17, three board meetings were conducted. The 3rd National Biodiversity Congress was organized during February 2017 with the focal theme of 'Mainstreaming Biodiversity for Sustainable Development'. Besides, Harithasangamam, a unique meeting of traditional farmers and traditional knowledge holders was organized to coincide with the National Biodiversity Congress 2017. A five-day biodiversity fair named Vividha was organized as a part of the Biodiversity Congress. A total of 69 stalls put up by National and State bodies, NGOs and private sector organizations exhibited diverse bio-resource-based products of value in sectors like food, nutrition, health, medicine and income-generation, as well as a range

of eco-technologies that help sustainable agriculture and food production. The Board published books titled Biodiversity Richness in Kerala, Biodiversity and Sustainable Development, Vrikshayurveda, Feathers of Vellayani and Handbook on Snakes of Kerala. Biodiversity Registers of Vellayani Lake, Sasthamkotta Lake and Pookkode Lake were brought out besides a marine biodiversity register – Thiruvananthapuram, and a BMC Handbook.

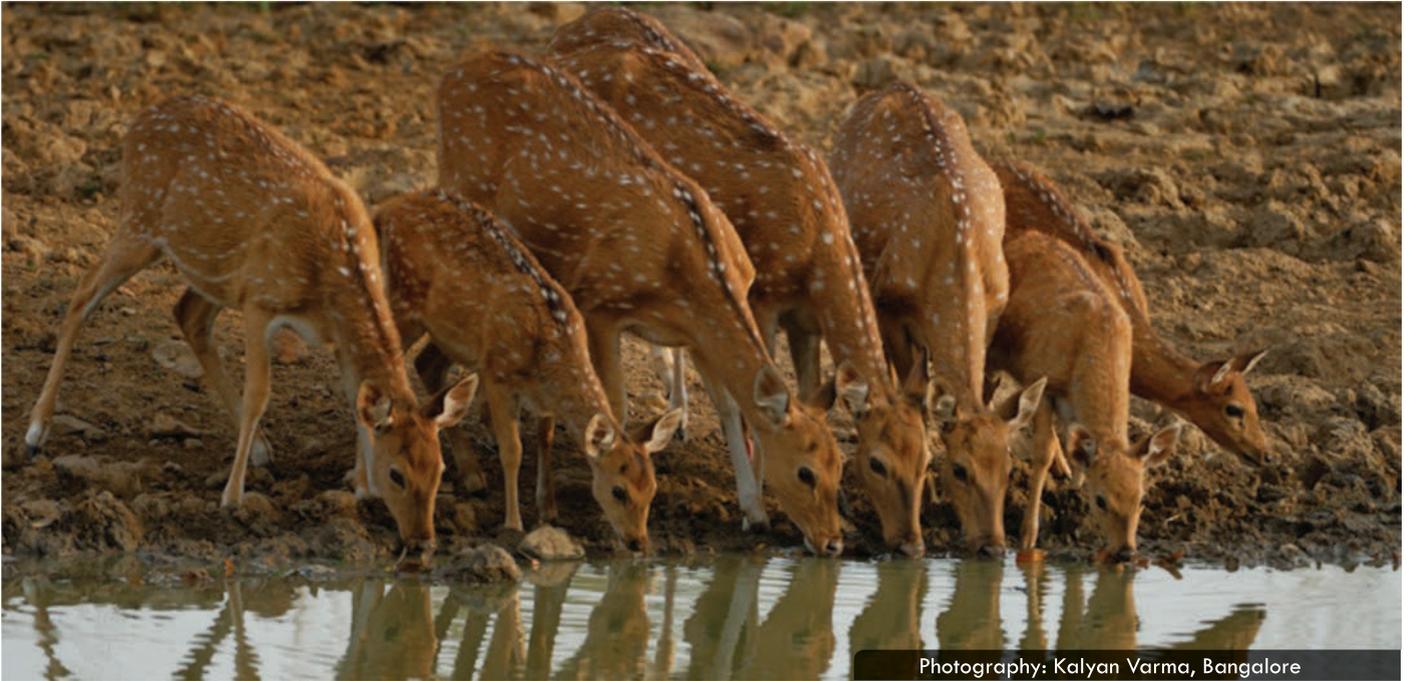
The Board sponsored a day branding programme on May 22nd - International Day for Biological Diversity - when messages on biodiversity conservation and sustainable utilization was aired on all stations of All India Radio. As part of IDB 2016, KSBB conducted a digital photography contest titled Green Images 2016, a Biodiversity Exhibition and a Children's Nature Camp in association with the Forest Department at Eravikulam National Park, Idukki.



## MADHYA PRADESH

The Madhya Pradesh State Biodiversity Board conducted one Board meeting during the year. A total of 23743 BMCs were constituted and 890 PBRs created. Of the latter, 118 PBRs were prepared during the year 2016-17. On the occasion of IDB 2016, a State-level programme was organized by the Board. Mowgli Bal Utsav 2016

was celebrated by organising outreach programme for schoolchildren. Biodiversity Management Committee sensitization programmes were organized in 40 Districts by the Board. A State-level photography competition was also conducted.



Photography: Kalyan Varma, Bangalore

## MAHARASHTRA

As of 31st March 2017, the total number of BMCs stands at 16729 and PBRs at 72. Under Sec.24 (1), one application was approved by the Board during the period under consideration. IDB 2016 was celebrated in the State. A

one-day workshop was organized by the Board for BMC members. A series of cluster workshops was organized in the villages under the GIZ project. A one-day Tree Plantation programme was also organized by the Board.



Photography: Vishakha Shah

## MANIPUR

During the year, one Board meeting was held. The Board had constituted 67 BMCs and prepared 22 PBRs as on 31st March 2017. Village Botanist Courses were conducted for selected BMCs at the State level. A three-day Workshop was also conducted in collaboration with FRLHT. The Manipur Biodiversity Board celebrated IDB 2016 in collaboration

with the Department of Forest & Environment, Government of Manipur. A photo exhibition on Biodiversity of Manipur, an exhibition of live plant varieties with identification tags, and on-the-spot writing and photography competitions were among the main events.

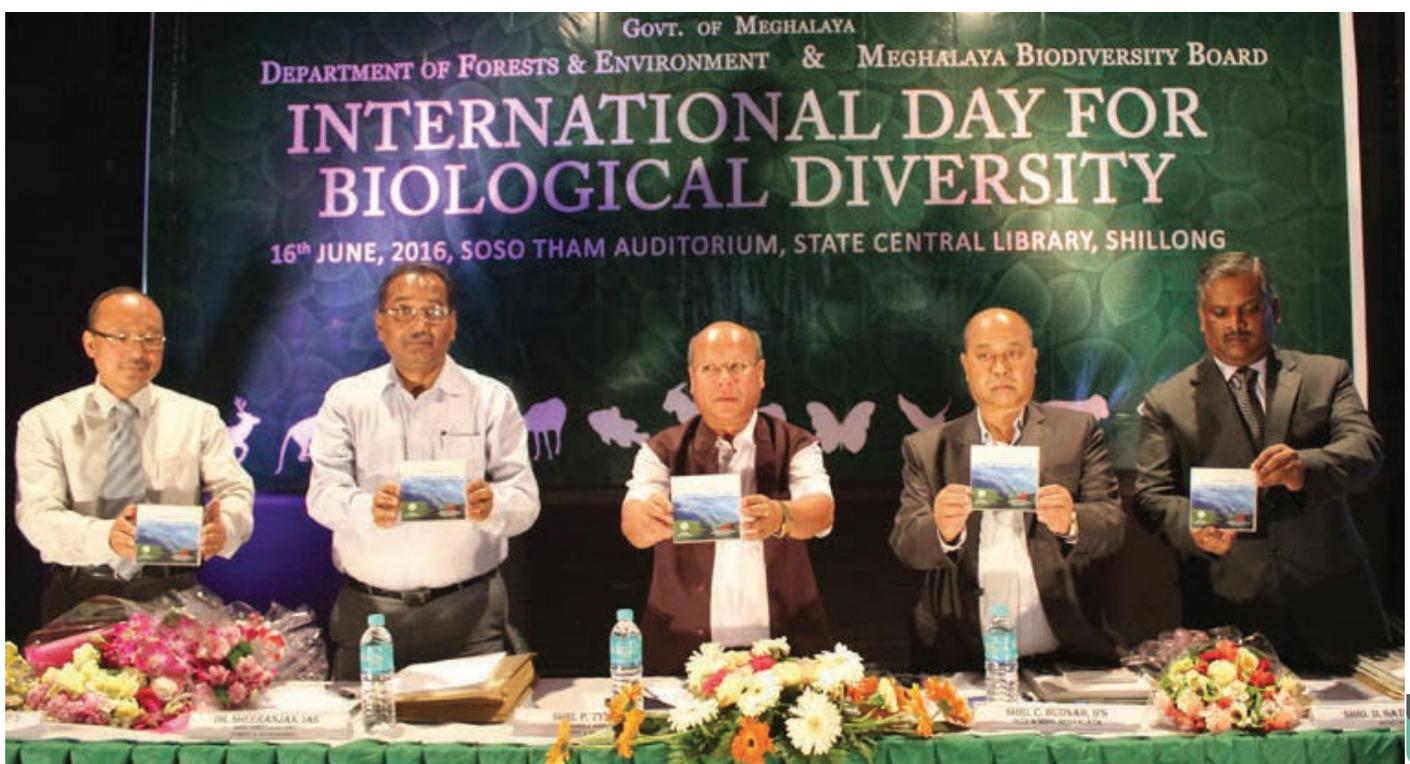


Photography: Alex & Sebastiaan, USA

## MEGHALAYA

Three Board meetings were held in 2016-2017. So far, 224 BMCs have been constituted. Three applications were approved under Sec.24 (1). International Day for Biological Diversity 2016 was celebrated in all the 11 Districts of Meghalaya. A State-level workshop for all stakeholders on 'Biodiversity Conservation and the Provisions of the BD Act, 2002' was organized. Awareness programmes were

conducted for all the districts regarding constitution of BMCs and preparation of PBRs. The Board felicitated the Seng Trei Lang Association, a self-help group from Mawkyrnot Village, Meghalaya, for winning the prestigious 'UNDP – India Biodiversity Award 2016', under the category Sustainable use of Biological Resources.



## MIZORAM

Mizoram Biodiversity Board had constituted 222 BMCs and prepared one PBR as on 31st March 2017. The International Day for Biological Diversity 2016 was celebrated by the

Board on 22nd May, 2016. The main focus of the Board was on conducting awareness programmes to highlight the salient features of the Biodiversity Act.



Photography: Johny Ngurthansanga, Aizawl

## NAGALAND

One Board meeting was held during the year. So far, 10 BMCs have been constituted. The International Day for Biological Diversity was celebrated on 22nd May 2016 at Khonoma Village of Kohima District. As part of the celebrations, painting and essay competitions were organized for all the six schools in the village. A

project titled 'Developing IT infrastructures in schools for promoting Biodiversity Conservation' funded by NEC was implemented in three schools of Kohima District. Brochures on biodiversity, its importance and conservation measures, along with bookmarks, were printed and distributed as a part of awareness programme.



Photography: Ramki Sreenivasan

## ODISHA

The Odisha Biodiversity Board held one meeting during the year under review. Out of 1036 BMCs constituted so far, 332 were set up during the period. The total number of PBRs prepared stood at 76, as on 31st March 2017. Two applications under Sec.23 (B) of the Act and four applications under Sec.24 (1), were approved during 2016-17. Three posters were prepared titled Amazing Plants of the World, Bioluminescence and Small Cats of Odisha. In recognition of the contributions of individual

in preserving local traditional knowledge in the field of Biodiversity Conservation in Odisha, 10 community members were felicitated by the Board at the State-level celebration. Capacity-building training programmes on topics like Intellectual Property Rights & Traditional Knowledge Documentation and Negotiation Skills were conducted for BMC members, frontline Forest Department staff and other stakeholders in the State. The International Day for Biological Diversity 2016 was celebrated by the Board.



Photography: A R Shakti Nanda, Bhubaneswar

## PUNJAB

The Punjab Biodiversity Board has constituted 73 BMCs. Of these 13 were set up during 2016-17. Ten PBRs were prepared as on 31st March 2017. A documentary film titled Kayakalp Vriksh (The Great Banyan Tree) was prepared by Paris-based Production House Camera Lucida under the World Heritage Trees series. This tree was identified as a potential BHS. A review paper titled Genetic stock of indigenous breeds: An imperative tool for climate change adaptations was prepared and published in the Abstract Book of the National Seminar on 'Climate

Change and Sustainable Agriculture' organized by the Desh Bhagat University in collaboration with UNESCO. A total of 23 awareness and capacity building programmes were organized by the Board throughout the State to celebrate IDB, 2016. A Biodiversity Gallery was set up at the Government primary school at Machaki Mal Singh village in Faridkot District by the Board. A native tree plantation drive was undertaken on community land with the help of a BMC.



Photography: Mujahid, South Africa

## RAJASTHAN

The Rajasthan State Biodiversity Board had set up a total of 98 BMCs as on 31st March 2017. On the occasion of the International Day for Biological Diversity 2016, a rally was organized at the State Capital in which around 600 scouts, guides, NCC cadets, school students and other volunteers participated. A national-level seminar on 'Biodiversity, Bioprospective and Environmental Awareness' was organized. Besides, on World Wetlands Day, a workshop on wetlands conservation was organized by the Board. A

Van Mahotsav was also held, during which trees of different species were planted at school premises and students were apprised of the importance of tree planting. A two-day Biodiversity Awareness Camp was organized for college students to facilitate identification of wildlife and wild plants in the forest area. Information about biodiversity of the State was provided in the Annual Planner published during the year 2016-17.



Photo Courtesy: [www.indiaouting.com](http://www.indiaouting.com)

## SIKKIM

The Board constituted 28 BMCs and prepared one PBR. One application was approved under Sec.23(B). The Board, in collaboration with Green Circle, the Environment, an NGO of Sikkim, celebrated International Biodiversity Day on 22nd May, 2016. Officials from various line departments like Tourism, Rural Management & Development, Animal Husbandry, Livestock, Fishery and Veterinary Service,

Horticultural Cash Crops Development, Science Technology & Climate Change, Sikkim Hotel & Restaurant Association (SHRA), Travel Agents Association of Sikkim (TASS), Sikkim Tourism Development Corporation (STDC) and Sikkim Association of Adventure Tour Operators (SATO) participated. An awareness programme was conducted by the nodal officers for the Member-Secretaries of BMCs.



## TAMIL NADU

The Government of Tamil Nadu reconstituted the Tamil Nadu Biodiversity Board for three years. So far, 16 BMCs have been constituted. The International Day for Biological

Diversity was celebrated on 22nd May, 2016. A one-day workshop was organized on 'Biodiversity Conservation in Tiger Landscape of Western Ghats in Tamil Nadu'.



Photography: Ranjith Kumar Inbasekaran

## TELANGANA

The Government of Telangana State amended Rule 16(1) of the TSBDB Rules, 2015 to provide for exemption of Form-I application fee (Rs.1000) for accessing biological resources for research purpose by Indian Citizens and Entities. Also, the application fee of Rs.10,000/- was reduced to Rs.1,000/- for access to biological resources for commercial purpose by Indian Citizens and Entities. During the period under review, one board meeting was held.

The Government of Telangana declared Ameenpur Lake as a BHS. As of now, 2528 BMCs have been constituted, out of which, 924 BMCs were set up during 2016-17. So far, 67 PBRs have been prepared. Three applications have been approved under Sec.23(B) of the Act and five under Sec. 24(1). The Board conducted around 590 training-cum-awareness programmes to develop awareness on the BD Act & Rules, constitution of BMCs and preparation of PBRs

for stakeholders like institutes, industries, BMC members and villagers. The Board, along with IIOR and the Kothakota (Mahabubnagar Dist.) and Kothagudem (Nalgonda Dist.) BMCs received the Biodiversity Award 2016 for successful ABS mechanism.

The Board is carrying out a research project on 'Conservation of Local Domesticated Breeds' in collaboration with the State Animal Husbandry Department and WASSAN. It organised a workshop on Draft Assessment of Threatened Taxa of Telangana in collaboration with Osmania University. IDB 2016 was celebrated by organizing events like a Digital Photography Contest on Flora & Fauna of Telangana State, a painting competition and a bird race at Ameenpur Lake. Eighteen best BMCs were identified on the occasion and felicitated with Awards of Excellence for conservation and sustainable use of biological resources.



## TRIPURA

During 2016-17, one Board meeting was held. Out of 348 BMCs constituted so far, 85 were formed during the year under review. So far, 277 PBRs have been prepared, and of these, 79 were documented during the period under review. One application was approved under Sec. 24(1).

The International Day for Biological Diversity 2016 was celebrated at Anwasha Child Protection Centre. As part of the celebration, an exhibition of medicinal plants and biodiversity protection measures was organized.



Photography: Tapan Debnath, Agartala

## UTTARAKHAND

The total number of BMCs constituted stood at 907 as on 31st March 2017. Of these, 132 BMCs were set up during 2016-17. The Board had prepared 82 PBRs as on 31st March 2017. The International Day for Biological

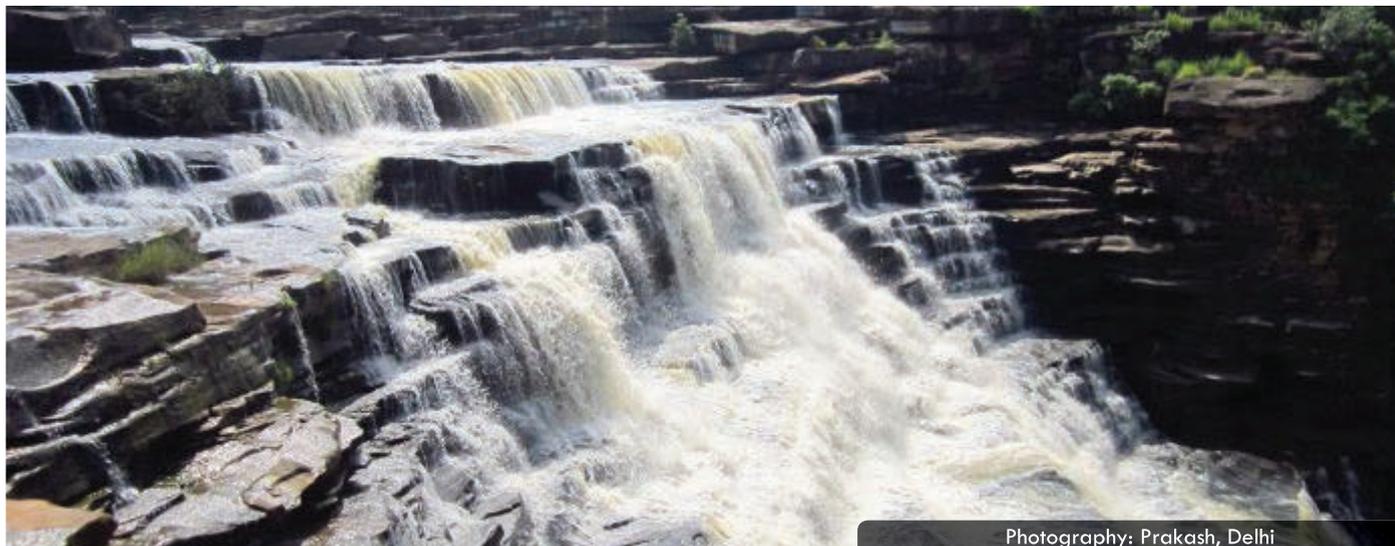
Diversity was celebrated in various Districts of Uttarakhand. Stakeholders' meetings on 'Strategy and Action Plan', BIOFIN and ABS were conducted during the year 2016-17.



## UTTAR PRADESH

During the period under consideration, one Board meeting was held. The Uttar Pradesh Government declared Ghariyal Rehabilitation Centre, Kukrail, Lucknow, as a Biodiversity Heritage Site. So far, 108 BMCs have been constituted and 99 PBRs prepared. To spread awareness, the Board organized a “Biodiversity Festival” from 17th May to 20th May, 2016. It also celebrated ‘International

Vulture Awareness Day’ on 3rd September 2016, Wildlife week (1st to 7th of October 2016), World Wetland Day (2nd February 2016) and World Sparrow Day (20th March 2017). On the occasion of IDB 2016, an e-souvenir on ‘Mainstreaming Biodiversity; Sustaining People and their Livelihoods’ was prepared by the Board. It also published a book titled Trees of Uttar Pradesh & PBR of Kannauj District.



Photography: Prakash, Delhi

## WEST BENGAL

During the year, two Board meetings were held. So far, 209 BMCs have been constituted and 101 PBRs prepared. Five applications under Section 23(B) and two under Section 24(1) were approved. The Board organized a two-day residential field programme at Buxa Tiger Reserve, Alipurduar District, to create awareness on common plants and animals among college students, teachers and representatives of NGOs and BMCs. The Board took active part in various training programmes, seminars and workshops to emphasize the roles of Panchayat/Block functionaries in conservation of biodiversity. The International Day for Biological Diversity was celebrated by organizing a one-day programme at Kolkata. The programme was attended by over 200 people from various segments of society, including representatives

of BMCs, research institutes, Government organizations, NGOs, teachers and students of schools, colleges and universities, besides the general public.

An ‘Inter-ministerial Dialogue on Access & Benefit Sharing (ABS)’ was organized on 16th June, 2016. The Board organised two Bio-Tour programmes to increase awareness about biodiversity among school students. Members of Itachuna-Khanyan BMC from Hoogly put up a cultural programme on the theme of Biodiversity Conservation and earned much audience appreciation. Under the UNEP-GEF-MoEFCC- ABS Project, two training sessions on ‘Negotiation Skill Building for BMCs’ were organized to help BMC personnel negotiate better with bio-resources users (traders or manufacturers) for signing ABS agreements.



Photography: Shivang Mehta, Delhi

CHAPTER

8

Photography: Vanam Sharath, Warangal

# ACTIVITIES AND ACHIEVEMENTS

## INDIAN SCIENCE CONGRESS (ISC)

An Educational Exhibit was put-up at the 104th Indian Science Congress (ISC) held at Sri Venkateshwara University, Tirupati, Andhra Pradesh, on January 3rd and 4th, 2017. Teams from the NBA (GEF & CEBPOL) and State Project Units of Telangana and Andhra State Biodiversity

Boards explained the objectives and processes involved in implementation of the BD Act 2002 and Rules 2004 to stakeholders including the scientific community from across India, academicians, teachers, youth and school children from Andhra Pradesh and Telangana.



## INTERNATIONAL DAY FOR BIOLOGICAL DIVERSITY 2016

To mark the occasion of International Day for Biological diversity (IDB) every year, the NBA organizes celebrations at the national level, while SBBs hold State-level functions. The national level celebration of IDB 2016 was organized by the Ministry of Environment, Forests and Climate Change (MoEF&CC), through the NBA with support from the Maharashtra SBB in partnership with United Nations Development Programme (UNDP) at Yashwant Rao Auditorium, Mumbai. The theme for the year was "Mainstreaming Biodiversity: Sustaining People and their Livelihoods".

The Hon'ble Governor of Maharashtra, Shri.C.H.Vidyasagar Rao, was the Chief Guest and Shri. Prakash Javadekar, Hon'ble Minister of State, MoEF&CC, presided over the event. Dr. Meenakumari, Chairperson of NBA, Prof. Raman Sukumar, Centre for Ecological Science, Indian Institute of Science, Bangalore, Dr.M.M.Kutty, Additional Secretary, MoEF&CC, Mr.Yuri Asanasiev, United Nations Resident Coordinator and Resident UNDP Representative in India; Dr. Vilas Bardekar, Chairman, Maharashtra SBB, Shri.

Swadheen S. Kshatriya, Chief Secretary, Government of Maharashtra, representatives of ICAR institutes, State Forest Department, Bombay National History Society, Civil Society Organization, academic institutions, students of Mumbai University Colleges and biodiversity enthusiasts participated in the celebration.

Dr.M.M.Kutty welcomed the gathering. The Governor called for a partnership among Government, Business, Agricultural Research Institution, NGOs and farmers to meet the challenge of food security while preserving biological resources. Shri Javadekar referred to the theme of the day and highlighted the important role played by biodiversity in various economic sectors.

The Governor presented the India Biodiversity Awards 2016 under four categories to recognize efforts to conserve biodiversity. A publication titled India Naturally celebrating winners of the India Biodiversity Awards 2016 was released on the occasion. An exhibition on the theme of the event was organized at the venue, and it was visited by dignitaries, students and members of the public.



## INTERNATIONAL YOGA DAY

International Yoga day was celebrated at the NBA on 21st June 2016. Both the Chairperson and Secretary, NBA, were present to steer the initiative. Mr. R. Ramesh, P.S. to the Chairperson, explained the significance of the day and the

importance of Yoga in daily life. He also performed the role of instructor and inaugurated a brief yoga session which is now held regularly for employees in the office premises.



## HINDI DIWAS

Recognising the importance of Hindi as the official language of the Union Government, NBA employees celebrated 'Hindi Diwas' on 14th September 2016 with enthusiasm. Mr. Ranbir Singh, Assistant Director, Hindi Prachar Sabha, was the Chief Guest at the programme, held in the presence of the Secretary, NBA, and attended by all the staff. The Secretary delivered the Address of Welcome. There were competitions and games for the employees. Mr. Ranbir Singh delivered a brief speech on 'Hindi Diwas,' explaining its genesis and significance, and outlined opportunities for

learning Hindi and the benefits of doing that for Government employees. The Secretary summed up the proceedings, and said NBA would take forward the initiative to promote a working knowledge of Hindi among the staff. A committee of three employees - Shri T. Narendran, Dr. Sangita Mitra and Shri Rajeev Ranjan Shahi - was constituted for effective implementation of Hindi in NBA. In a bid to promote understanding of common Hindi words among the employees, the practice of displaying one new word daily on the notice board was introduced.



## 11<sup>TH</sup> NATIONAL MEETING OF STATE BIODIVERSITY BOARDS

The 11th National Meeting of SBB was held from 30th September to 1st October 2016 at Chennai. Member-Secretaries of 23 States, five NBA members and special invitees deliberated on BMCs, PBRs, ABS and other related administrative issues. The meeting stressed the need for an in-depth discussion on various issues faced by the SBBs, including constitution of Biodiversity Management Committees and the preparation of People's Biodiversity Registers, Access and Benefit Sharing mechanism etc. The

Action Taken Report pertaining to the previous National Meeting of SBBs and the progress made by the SBBs were also shared on the occasion.

The National Meeting saw the delegates discuss in detail issues which need to be sorted out for better and efficient functioning of SBBs to achieve the goal of conserving local bio-resources, facilitating access and benefit sharing arising out the bio-resources and safeguarding of traditional

knowledge. The group discussions and suggestion for improvement were made under this three process.

- Processing of Access and Benefit Sharing applications by the SBBs
- Guidelines for procedure/modalities to utilize funds accrued by SBBs
- Sharing of information on approvals granted by SBBs

All the State Boards shared their best practices and participated in the discussion on matters like digitalization of PBRs, linking of Panchayati Raj Institutions in constituting BMCs and progress made in relation to SBAP. The outcome included developing guidelines for utilization of the State Biodiversity Funds, setting up a portal for SBBs to feed the details of approvals granted, amendments to inconsistent provisions in the State Rules, digitalization of PBRs and linking of BMCs with Panchayat Raj Institutions.



## CELEBRATION OF THE 13<sup>TH</sup> FOUNDATION DAY OF NBA

The 13th Foundation Day of NBA was celebrated on 1st October, 2016 at the premises of the NBA, Chennai. Dr. Amita Prasad, IAS, Additional Secretary, Ministry of Environment, Forest and Climate Change, presided. Prof P.Vanangamudi, Vice-Chancellor, Tamil Nadu Dr Ambedkar Law University, Chennai, was the Chief Guest. NBA members and representatives of SBBs participated in the event. On the occasion, a Compendium of the Biodiversity Rules of States compiled by the NBA, a Manual on PBR prepared by the Maharashtra State Biodiversity Board and Watershed Organization Trust, Pune, and a brochure on Achievements of the NBA during the year 2015-16 were released.

Dr. Amita Prasad appreciated the efforts of NBA and SBBs and called on all concerned to strive hard to implement

the Biological Diversity Act and create awareness about it among stakeholders. Prof. Vanangamudi in his address, while applauding the efforts taken by the NBA to implement the BD Act, said awareness programmes needed to be organized for conservation and sustainable use of precious bio-resources. He said the Law University would be happy to join hands with NBA to spread the message of the importance of implementing the Biodiversity Act.

CIBA Director Dr. K.K Vijayan and Dr. S. Subramaniyan, Member, were felicitated on the occasion

Dr. B. Meenakumari, Chairperson, NBA, welcomed the gathering and appreciated the support rendered by the MoEFCC and the SBBs for the better functioning of the NBA.



## NATIONAL YOUTH DAY

To mark the occasion of National Youth Day, an awareness programme was organised on 'Digital Payment' with the help of the National Payment Corporation of India (NPCI) at the NBA, Chennai, on 9th January, 2017. All officers, regular staff, consultants, project and outsourced staff

stationed at the headquarters attended the programme. A two-hour orientation was conducted by an instructor from NPCI to sensitize employees about the mechanism of digital payments and its utility.



## RADIO OUTREACH & AWARENESS CAMPAIGN FOR WORLD WETLANDS DAY 2017

A Radio Outreach initiative and an Awareness Campaign were carried out as a part of the celebration of the World Wetlands Day 2017 by the NBA with the support of the CEBPOL programme. The theme was 'Interface with other Multilateral Environmental Agreements and Organisations'. The NBA broadcast informative snippets through FM radio on wetlands, their role in disaster management, and ways and means to protect them. The broadcasts were done over periods ranging from one day to two weeks spread over a month (1st February – 2nd March 2017) in five cities - Chennai, New Delhi, Kolkata, Ahmedabad and Thiruvananthapuram.

The NBA also implemented a school outreach and awareness raising exercise on 2nd February 2017. Over 300 schools within Chennai City Corporation limits received translated copies of the Ramsar handouts. School administrators and Municipal Councilors were requested to support the effort by organizing/being part of a small event during the morning assembly to spread key messages.

உலக  
ஈரநிலங்கள் தினம்  
2 பிப்ரவரி 2017



பேரிடர் இடர்  
குறைப்புக்கான ஈரநிலங்கள்

Recognising the importance of Official Language of the Union Government, NBA started celebrating “Hindi Diwas” on 14<sup>th</sup> September each year from 2016

CHAPTER

9



Photography: Tejal Chauhan, Gujarat

# REVIEW OF THE LEGAL AND REGULATORY FRAMEWORK

## 9.1 NOTIFICATION OF THREATENED SPECIES OF PLANTS AND ANIMALS U/S 38 OF THE BIOLOGICAL DIVERSITY ACT, 2002.

Section 38 of the Biological Diversity Act, 2002 empowers the Central Government, in consultation with the concerned State Government, to notify as threatened species plants and animals which are on the verge of extinction or likely to become extinct in the near future, prohibit or regulate the collection of these species for any purpose, and take appropriate steps to rehabilitate and preserve them.

The MoEFCC, in consultation with the concerned State Governments, have issued such notifications in 16 States and two Union Territories, namely, Bihar, Goa, Himachal Pradesh, Karnataka, Kerala, Madhya Pradesh, Manipur, Meghalaya, Mizoram, Orissa, Punjab, Tamil Nadu, Tripura, Uttar Pradesh, Uttarakhand and West Bengal, and Andaman and Nicobar Islands, and Daman & Diu and Dadra & Nagar Haveli. These notifications cover a total of 132 plants and 158 animal species and confer powers on the respective SBBs to regulate access to them and take appropriate steps to rehabilitate and preserve them. The matter is being pursued with other States.

## 9.2 LEGAL CELL

During the year under consideration, 167 ABS agreements were signed between users and the NBA.

Litigations currently being pursued by or against the National Biodiversity Authority

The Legal Cell is responsible for dealing with litigations by or against the National Biodiversity Authority/Ministry of Environment and Forests before various courts/tribunals. It is mandated to prepare para-wise replies to the courts / tribunals and to assist the Counsel appearing for the NBA before the legal forum. The NBA is taking active steps with regard to cases related to the violation of the BD Act, 2002 and any order or direction issued by the courts under the Act.

## LIST OF CASES INVOLVING NBA PENDING BEFORE VARIOUS COURTS/ TRIBUNALS

There were 20 cases relating to the NBA pending before various courts of law during the year 2016-2017. The courts where they are being heard are listed below:

1. The Hon'ble Supreme Court of India (Three cases),
2. The Hon'ble High Court of Karnataka, Dharwad Bench (Two cases),
3. The Hon'ble High Court of Madhya Pradesh, Jabalpur Bench (One case),
4. The Hon'ble High Court of Bombay, Nagpur bench (One case),
5. The Hon'ble High Court of Uttarakhand - Nainital Bench (One case)
6. The Hon'ble High Court of Madras (One case)
7. National Green Tribunal, (SZ) Chennai (Three cases)
8. National Green Tribunal, (CZ) Bhopal (One case)
9. National Green Tribunal, Principal Bench, New Delhi (Five cases)
10. National Green Tribunal, (WZ), Pune (One case)
11. Principal JMFC Court, Dharwad (One case)

## RIGHT TO INFORMATION ACT, 2005

The RTI applications and appeals received by the National Biodiversity Authority were processed by the Legal Cell in consonance with the Right to Information Act, 2005 in letter and spirit, and disposed of by the Central Public Information Officer or the First Appellate Authority as appropriate, with the assistance of the Legal Cell.

## STATE BIOIDIVERSITY RULES

The NBA has reviewed the State Biological Diversity Rules made by various States pursuant to the powers granted to it under Section 63 of the BD Act, 2002. The review was carried out either suo moto or based on requests for review by the concerned State Biodiversity Board (SBB). So far, rules of 22 States have been reviewed by the legal team. The States are Andhra Pradesh, Arunachal Pradesh, Assam, Chhattisgarh, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Odisha, Punjab, Rajasthan, Sikkim, Tripura, Uttar Pradesh, West Bengal, Punjab, Haryana, Manipur, Gujarat and Tamil Nadu.



CHAPTER

# 10



Photography: Shawon Mitra, Bangladesh

# FINANCE AND ACCOUNTS

## Receipts and payments Account for the year ended 31st March, 2017

### NATIONAL BIODIVERSITY AUTHORITY TARMANI, CHENNAI - 600 113

#### Receipts and Payments Account for the year ended 31<sup>st</sup> March, 2017

(Amount in Rs.)

Receipts	Current Year: 2016 - 17		Previous Year 2015 - 16		Payments	Current Year 2016 - 17		Previous Year 2015 - 16
	Plan	Non-Plan	Plan	Non-Plan		Plan	Non-Plan	Plan
<b>I. Opening Balances</b>					<b>I. Expenditures:</b>			
a) Cash in hand	50,000	0	50,000	0	a) Establishment-Expenses	3,39,67,510	0	3,20,14,017
b) <u>Bank Balances</u>					b) Administrative-Expenses	3,71,54,723	0	6,37,06,532
i) In Current A/c	0	0	0	0				
ii) In Deposit A/c	26,89,76,415	0	1,20,00,000	0	<b>II. Payment made towards Funding for various Proposals</b>	59,18,376	0	77,81,950
iii) In Savings A/c	10,46,05,637	0	24,64,59,365	0				
c) GEF Bank A/c	2,46,58,479	0	4,64,16,714	0	<b>III. Investments / Deposits Made:</b>			
d) CEBPOL Bank A/c	1,83,57,247	0	1,07,97,077	0	a) Out of Earmarked / Endowment funds	0	0	0
					b) Out of own Funds	0	0	0
<b>II. Grants- Received:</b>					<b>IV. Expenditure - on Fixed Assets &amp; Capital Work in-Progress</b>			
a) From Government of India (MoEF)	17,60,13,387	0	8,52,83,471	0	a) Purchase of Fixed Assets	5,54,173	0	2,03,255
b) From State Government	0	0	0	0	b) Expenditure on Capital Work-in Progress	0	0	16,11,385
c) From Other Sources	0	0	0	0	<b>IV. Refund of Surplus money / Loans</b>			
					a) To the Govt. of India for CoP-11	0	0	0
<b>III. Income on- Investments Form</b>					b) To the State Government	0	0	0
a) Earmarked / Endowment Funds	0	0	11,17,000	0	c) To other providers of funds	0	0	0
b) Own Funds (Other Investments)	1,80,50,550	0	0	0	<b>VI. Finance - Charges (Interest)</b>	0	0	0
<b>IV. Interest Received</b>								
a) On Bank S.B Authority	5,24,998	0	80,96,496	0	<b>VII. Other Payments</b>			
b) On Bank S.B Fund	59,15,023	0	0	0	Security /Telephone Deposits/E.M.D.repaid	0	0	90,000
c) Loan, Advances, etc.						16,87,500		
<b>V. Other Incomes</b>								
a) Application Fees	6,95,467	0	7,40,221	0				
b) Royalty Fees/Upfront	3,50,502	0	174	0				
c) 5% Benefit Sharing recd. from A.P.Forest Devt. Corporation Ltd.	12,45,38,647	0	18,83,01,918	0				
c) Miscellaneous-Income	630	0	0	0				
d) Sale of Newspapers	4,410	0	2,465	0				
e) Sale of Assets	0	0	0	0				
f) RTI filling fees	2,240	0	130	0				
<b>V. Amount-Borrowed</b>			0					

(Amount in Rs.)

Receipts	Current Year: 2016 - 17		Previous Year 2015 - 16		Payments	Current Year 2016 - 17		Previous Year 2015 - 16
	Plan	Non-Plan	Plan	Non-Plan		Plan	Non-Plan	Plan
<b>VII. Other Receipts</b>								
Earnest Money / Security Deposit / Ret. Money Recd. from Contractors	17,52,500	0	7,500	0	SBBs. Share of Royalty	0	0	0
Tele.deposit (Refund)	0	0	9,000	0	GIA for Strengthening of SBBs.	2,71,88,963	0	2,99,95,884
<b>CEBPOL Project</b>	9,56,680	0	1,27,69,075	0	GIA for Constitution of BMCs. & PBRs. Preparation	7,04,34,888	0	3,43,85,474
GIA for ABS Dialogue Workshops at Goa	0	0	5,40,457	0	5% Benefit Sharing Paid	3,37,14,277	0	0
NPS Payable A/c	4,598	0	0	0	CEBPOL Project A/c	50,77,010	0	51,98,195
<b>GEF. Project A/c</b>	5,23,41,732	0	2,21,37,720	0	GEF on NBSAP Project	0	0	0
Refund unspent balance of Cop11	0	0	2,41,474	0	ABS Dialogue Meeting Expenses at Goa	0	0	51,283
African TK Workshop	0	0	6,66,450	0	CBD-HLP Meetings	0	0	0
EMD Payable A/c	72,500	0	0	0	CoP-11 Related Exp.	0	0	55,000
					GEF. Project A/c	5,24,37,767	0	4,38,95,955
					UNDP. Project A/c	0	0	0
					Asean Capacity Building	4,57,707	0	0
					<b>VIII. Closing - Balances</b>			
					a) Cash hand	50,000	0	50,000
					b) Bank Balances:			
					i) In Deposit A/c	28,70,26,965	0	26,89,76,415
					ii) In Savings A/c	20,34,02,422	0	10,46,05,636
					c) GEF Cash & Bank A/c	2,45,62,444	0	2,46,58,479
					d) CEBPOL Bank A/c	1,42,36,917	0	1,83,57,247
<b>Total</b>	<b>79,78,71,642</b>	<b>0</b>	<b>63,56,36,707</b>	<b>0</b>	<b>Total</b>	<b>79,78,71,642</b>	<b>0</b>	<b>63,56,36,707</b>



ACCOUNTS OFFICER



SECRETARY



CHAIRPERSON

## Income and Expenditure Account for the year ended 31st March, 2017

### NATIONAL BIODIVERSITY AUTHORITY TARAMANI, CHENNAI -600 113

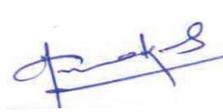
#### Income and Expenditure Account for the year ended 31st. March, 2017

(Amount in Rs.)

<b>INCOME</b>	Sch. No.	Current Year: 2016-17		Previous Year: 2015-16	
		Plan	Non-Plan	Plan	Non-Plan
Income from Sales / Services	12				
Grants/ Subsidies:					
Rs. Grants/received as per Sch.No.13	13	18,64,08,410	0	17,63,03,086	0
un utilized Grants for 2015-16					
1,09,38,556					
<b>Less:</b> Capitalization of Fixed Assets-} during the year 2016-17 }					
(-) 5,43,533					
Net Income from Grants		18,64,08,410			
Fees / Subscription	14	0	0	0	0
Income from Investments (Income on Investments from Earmarked / Endowment Funds transferred to Funds)	15	0	0	0	0
Income from Royalty, Publication etc.	16	0	0	0	0
Interest Earned	17	9,32,875	0	41,50,548	0
Other Income	18	7,280	0	2,595	0
Increase / (decrease) in stock of Finished goods and works in-progress	19	0	0	0	0
<b>TOTAL (A)</b>		<b>18,73,48,565</b>	<b>0</b>	<b>18,04,56,229</b>	<b>0</b>
<b>EXPENDITURE</b>					
Establishment Expenses	20	3,39,67,510	0	32,013,387.00	0
Other Administrative Expenses etc.	21	4,36,20,622	0	7,33,00,527	0
Expenditure on Grants, Subsidies etc.	22	9,76,23,851	0	6,43,81,358	0
Interest	23	0	0	0	0
Depreciation as per Schedule 8		18,40,939	0	21,73,389	0
Loss on Sale of Assets		0	0	8,177	0
<b>TOTAL (B)</b>		<b>17,70,52,922</b>	<b>0</b>	<b>17,18,76,838</b>	<b>0</b>
Balance being excess of Income over Expenditure (A-B)		<b>1,02,95,643</b>	<b>0</b>	<b>85,79,391</b>	<b>0</b>
SIGNIFICANT ACCOUNTING POLICIES CONTINGENT LIABILITIES AND NOTES ON ACCOUNTS					

  
ACCOUNTS OFFICER

  
SECRETARY

  
CHAIRPERSON

## Balance Sheet for the year ended 31st March, 2017

### NATIONAL BIODIVERSITY AUTHORITY TARAMANI, CHENNAI - 600 113

#### Balance Sheet for the year ended 31st March, 2017

(Amount in Rs.)

<b>CORPUS / CAPITAL FUND AND LIABILITIES</b>	Sch. No.	Current Year: 2016-17		Previous Year: 2015-16	
		Plan	Non-Plan	Plan	Non-Plan
CAPITAL FUND	1	1,34,89,272	0	1,43,90,056	0
RESERVES AND SURPLUS	2		0	0	0
EARMARKED / ENDOWMENT FUNDS	3	50,14,49,630	0	37,45,72,573	0
SECURED LOANS AND BORROWINGS	4	0	0	0	0
UNSECURED LOANS AND BORROWINGS	5	0	0	0	0
DEFERRED CREDIT LIABILITIES	6	0	0	0	0
CURRENT LIABILITIES AND PROVISIONS	7	2,42,84,506	0	1,56,30,571	0
<b>TOTAL</b>		<b>53,92,23,408</b>	<b>0</b>	<b>40,45,93,200</b>	<b>0</b>
<b>ASSETS</b>					
FIXED ASSETS	8	1,37,98,968	0	1,50,85,734	0
INVESTMENTS- FROM EARMARKED/ ENDOWMENT FUNDS	9	0	0	0	0
INVESTMENTS - OTHERS	10	0	0	0	0
CURRENT ASSETS, LOANS, ADVANCES ETC.	11	52,54,24,440	0	38,95,07,466	0
MISCELLANEOUS EXPENDITURE (To the extent not written off or adjusted)			0	0	0
<b>TOTAL</b>		<b>53,92,23,408</b>	<b>0</b>	<b>40,45,93,200</b>	<b>0</b>
SIGNIFICANT ACCOUNTING POLICIES	<b>24</b>				
CONTINGENT LIABILITIES AND NOTES ON ACCOUNTS	<b>25</b>				



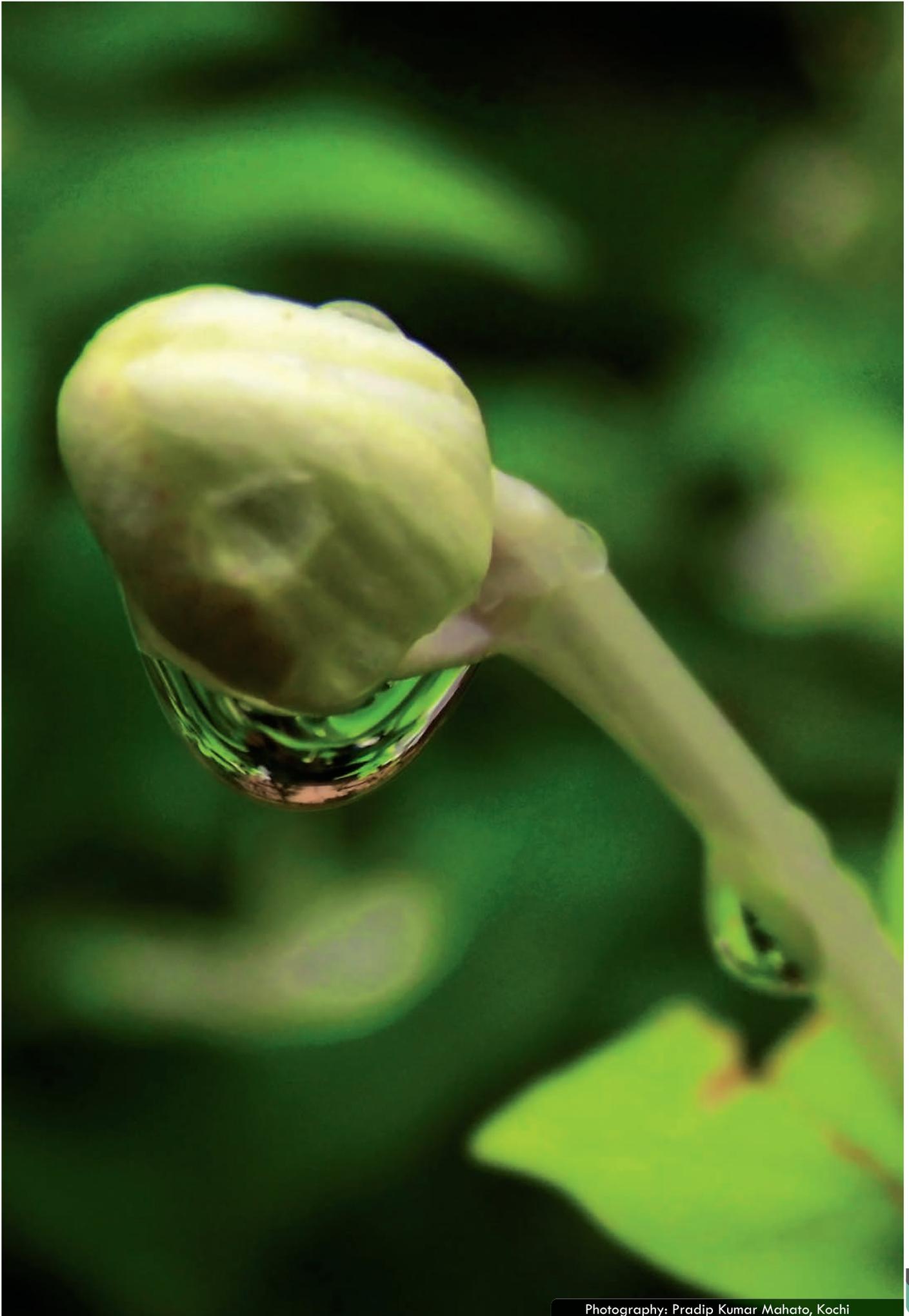
**ACCOUNTS OFFICER**



**SECRETARY**



**CHAIRPERSON**



CHAPTER

11



Photography: Pradip Kumar Mahato, Kochi

# ANNUAL PLAN FOR THE YEAR 2017-18

The National Biodiversity Authority sets out a list of action points every year to fulfil the mandate of the Convention on Biological Diversity (CBD) and keep abreast of its core objective of implementing the Biological Diversity Act in India. In pursuance of this, NBA has proposed the following line of action to be carried out during 2017-18 with the active involvement of State Biodiversity Boards (SBBs) and Biodiversity Management Committees (BMCs).

- NBA to seek intervention from MoEF&CC for sending advisories to State Governments to support and strengthen SBBs with adequate manpower and infrastructure.
- Follow up with Union Territories for delegation of powers or functions related to Section 22(2) of the Act and facilitating constitution of Biodiversity Management Committees.
- Strengthen the institutional mechanism of SBB/BMC in the country and dialogue with Panchayati Raj Institutions and Ministry of Tribal Affairs for constitution of BMCs and preparation of People's Biodiversity Registers (PBRs) in the States and build capacity at stakeholder level.
- Implement real time processing of ABS applications at the NBA.
- Digitalize PBRs to develop a uniform format for compiling data documented by SBBs.
- Build a digital database of local bodies all over India for streamlining the verification process for Grants-in-Aid to SBBs for constitution of BMCs and preparation of PBRs.
- Imparting training to officials of the Forestry, Wildlife, Biotechnology, Customs and Excise Departments, along with those of line departments dealing with bio-resources, conservation of bio-resources and their sustainable management.
- Conduct awareness campaigns on the BD Act 2002 through NGOs, academia, research institutes, conservation groups and Government departments by holding workshops, seminars and symposia.
- Hold outreach programmes through print and electronic media; conduct training and capacity building programmes for different stakeholders for effective implementation of the Biological Diversity Act.
- Arrange for need-based improvement and updating of the list of bio-resources classified as normally traded commodities (NTC) under Section 40 of the BD Act.
- Develop guidelines to utilise the National Biodiversity Fund under Section 27 of the BD Act.
- Collaborate with the National Institute of Rural Development & Panchayati Raj, Hyderabad, for capacity building on biodiversity governance to benefit varied stakeholders including local self-governance functionaries and people's representatives
- Facilitate capacity building in varied stakeholders (including academicians, administrators, scientists and practitioners) on Access & Benefit Sharing (ABS), Multi-lateral Environment Agreements, Invasive Alien Species, Nature Index and Mainstreaming Biodiversity into production sectors.



CHAPTER

12



Photography: Susmita Datta, Hooghly

# PROJECTS

## 12.1 UNEP-GEF-MoEFCC ABS Project

### *Strengthening Implementation of the Biological Diversity Act and Rules with the focus on Access and Benefit Sharing Provisions*

The objective of the project is to increase the institutional, individual and systemic capacities of stakeholders for effective implementation of the BD Act, 2002 and the Rules, 2004 in order to achieve biodiversity conservation through implementing Access and Benefit Sharing (ABS) provisions. This project is being implemented by NBA in partnership with 10 State Biodiversity Boards of India, viz., Andhra Pradesh, Goa, Gujarat, Karnataka, Himachal Pradesh, Sikkim, Odisha, West Bengal, Telangana and Tripura. The project is partnered by the Botanical Survey of India (BSI), Zoological Survey of India (ZSI), United Nations Development Programme (UNDP), United Nations University – Institute for Advanced Study in Sustainability, Global Environment Facility (GEF) and United Nations Environment Programme – Division of Environmental Law and Conventions (UNEP-DELC).

The major activities for the year included capacity-building programmes and exchange visits for Biodiversity Management Committees, a two-day State-level training programme on IPR and documentation of traditional knowledge and a national workshop on ‘Medicinal Plants Conservation and Development Areas’. State-level media workshops were conducted in the project States to disseminate information on the importance of biodiversity and associated rules regarding ABS under the BD Act 2002 and Rules 2004. The Sixth Project Steering Committee (PSC) meeting for the project was held during December 2016 and the committee lauded activities under the project. Overall, around 315 Biodiversity Management Committees were constituted, about 297 Local Biodiversity Funds were set up, 122 Peoples’ Biodiversity Registers were prepared and 244 ABS access applications signed. Around Rs 2.17 crores was collected by the Statutory State Biodiversity Funds in the project States.

### *Special Events under the Project*

- The Project Management Unit, UNEP-GEF NBA, held an exhibition at the Second India International Science Festival (IISF2016) from December 7th to 11th, 2016, on BD Act 2002, Rules 2004 and knowledge products developed by the project. Researchers, scientists, students, scientists from across country, Ph.D. scholars, IIT Fellows, academicians and industrialists participated. The programme was inaugurated by the Honourable Minister of Science and Technology, Dr. Harsh Vardhan.
- The Project Management Unit held another exhibition at the 104th Indian Science Congress (ISC) January from 3rd to 7th 2017 at Tirupati, Andhra Pradesh, to share information and knowledge base among the youth, schoolchildren and scientific community participating in the event. The programme was inaugurated by the Honourable Prime Minister of India, Shri. Narendra Modi.

- A side event on ‘ABS - Good Practices and Lessons Learnt from India’ was organized at the 13th Conference of the Parties (CoP13) Cancun, Mexico. The focus was the implementation of the Nagoya Protocol through the BD Act. .

## 12.2 Centre for Biodiversity Policy and Law (CEBPOL) - An India-Norway collaborative Initiative

The Government of India, in collaboration with the Norwegian Government, has established a Centre for Biodiversity Policy and Law (CEBPOL) at the NBA, Chennai, aimed at strengthening the biodiversity policy and conservation-related issues in India. This Centre of Excellence is focusing on biodiversity policies and laws that cater to the needs of national and international rule-making and subsequent implementation.

The Centre currently works on five major thematic areas, viz., Access and Benefit Sharing, Mainstreaming Biological Diversity, Invasive Alien Species, Interface with other Multilateral Environmental Agreements and Organizations and Nature Index. There is also a cross-cutting theme - i.e. Capacity Building, Training, Awareness Raising and Communication.

The following major activities were carried out during the financial year 2016 -2017:

### *Participation in the 8<sup>th</sup> Trondheim Conference on Biodiversity:*

The Chairperson of NBA along with the Programme Manager and Consultant, Biodiversity Law, CEBPOL, visited Trondheim, Norway from May 31st to June 3rd, 2016 to attend the 8th Trondheim Conference on Biodiversity. The theme of the conference was ‘Food systems for a sustainable future – inter-linkages between biodiversity and agriculture’. Many of the sessions at the conference were highly relevant for the work under CEBPOL and the visitors had the opportunity to interact with 300 participants from 95 countries. Meetings with the programme partners were also held, to review the progress of work until May, 2016 and draw up plans for the remaining period of 2016, conduct an internal assessment of the programme document, plan common activities to be undertaken under ABS, and discuss the Nature Index.

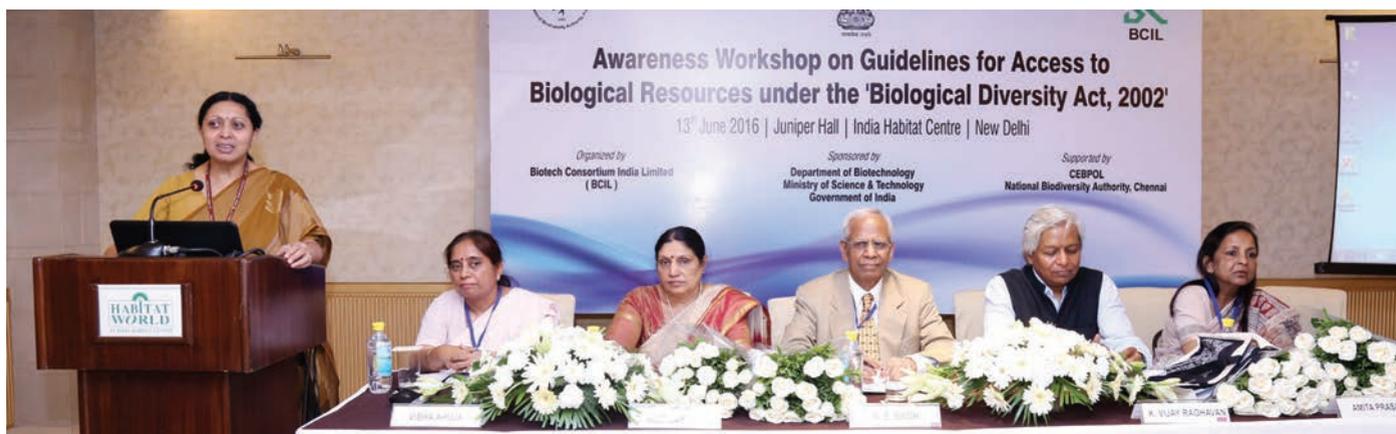
### *Awareness-raising workshops on ABS guidelines:*

Biotech Consortium India Limited (BCIL), with support from the Department of Biotechnology (DBT), Ministry of Science and Technology, and CEBPOL, organized seven one-day ‘Awareness Workshops on Guidelines for Access to Biological Resources under the Biological Diversity Act, 2002’. These workshops were held at Delhi, Guwahati, Kolkata, Pune, Hyderabad, Bangalore and Ahmedabad during June - July 2016 and March, 2017. The series was aimed at creating awareness about the provisions of the BD Act, 2002 and in particular, the ‘Guidelines on Access to Biological Resources

and Associated Knowledge and Benefits Sharing, 2014,' in order to facilitate regulatory compliance. It also served as an interactive platform for clarifying issues regarding ABS among participants and facilitated valuable feedback regarding the problems faced by the applicants.

Dr. B. Meenakumari, Chairperson, NBA, Prof. M. K. Ramesh, NLSIU, Bangalore, Dr. T. P. Rajendran, Member Expert Committee on ABS, Shri T. Rabikumar, Secretary, NBA,

Dr. Shivendu K. Srivastava, Member, Experts Committee on ABS, Dr. Suhas Nimbalkar, Dr. Rupam Mandal and Dr. Prabha Nair from CEBPOL were the key resource persons at these workshops. They were attended by around 100 participants, including scientists from both the public and private sectors engaged in research utilizing biological resources, IP officials from industry, institutes and Government agencies.



**A two-day workshop on Synergies among Biodiversity-related Multilateral Environmental Agreements (MEAs) :**

A two-day workshop was organised on 'Synergies among Biodiversity-related Multilateral Environmental Agreements (MEAs)' at Manesar, Haryana, from October 3rd, 2016. The objective was to raise awareness on the scope for synergies so as to encourage stronger coordination among stakeholders, in the context of implementation of the National Biodiversity Targets and Sustainable Development Goals. The discussion centred around seven biodiversity-related MEAs, i.e. Convention on Biological Diversity, Convention on International Trade in Endangered Species of Wild Fauna and Flora, Convention on the Conservation of Migratory Species of Wild Animals, Ramsar Convention (Convention on Wetlands), World Heritage Convention, International Treaty on Plant Genetic Resources for Food and Agriculture,

and International Plant Protection Convention. The Chief Guest for the workshop was Mr. Lars Andreas Lunde, Deputy Minister, Ministry of Climate and Environment, Norway. Dr. Amita Prasad, Additional Secretary, MoEFCC, presided. Mr. Nils Ragnar Kamsvag, Ambassador, Royal Norwegian Embassy, New Delhi, Dr. B. Meenakumari, Chairperson, NBA, and Shri T. Rabikumar, Secretary, NBA, were also present.

The recommendations emerging from the discussions at the workshop flagged the need for better collation and sharing of information for MEA synergies, for instance through an ENVIS platform, better synergies in MEA-related capacity building needs and strengthening governance towards this end by facilitating better collaboration among National Focal Points through an institutional arrangement.



### ***A Consultative Conference for State Biodiversity Boards on the challenges and prospects of biodiversity governance in India:***

The CEBPOL, in association with the National Law School, Bangalore, organised a two-day Consultative Conference for State Biodiversity Boards to address the challenges and prospects of biodiversity governance in India on October

25th and 26th 2016 at Bangalore. The objective of the conference was to address the issues related to biodiversity governance faced by the State Biodiversity Boards. A total of 20 representatives from 16 States participated in the Conference in addition to delegates from CEBPOL, NBA and the host organization.



### ***A Policy Dialogue on Mainstreaming Biodiversity into the Marine Fisheries Sector:***

A Policy Dialogue was organised on 'Mainstreaming Biodiversity into the Marine Fisheries Sector' on November 25th at the NBA premises in Chennai. Around 30 fisheries experts from various organisations participated in the deliberation. Shri. T. Rabi Kumar, Secretary, NBA, delivered the Address of Welcome and Dr. B. Meenakumari, Chairperson, NBA, gave a brief introduction about the

activities of CEBPOL and an overview of the objective of the policy dialogue. During the technical session, Dr. Yugraj Singh Yadava, Director, Bay of Bengal Programme, highlighted the salient features of the draft National Policy on Marine Fisheries, 2016, published by the Ministry for Agriculture and Farmers Welfare, and Dr. C. Thomson Jacob, Consultant, Biodiversity Policy, CEBPOL, presented the draft recommendations of the policy analysis carried out under the CEBPOL programme.

### ***Policy Dialogue on Mainstreaming Biodiversity into the Agricultural Sector:***

A national-level consultative meeting on 'Mainstreaming Biodiversity into the Agricultural sector' was organised on 20th January at PUSA, New Delhi. More than 37 delegates from various agriculture-related research organisations participated. CABI, MSSRF, Biodiversity International, PPV&FRA, World Agroforestry Centre, NBPGR and NBFGRs were represented. Officials from MoA&FW and MoEFCC also participated in the deliberations. To increase

the food basket of the country, it was recommended that ecologically intensified agricultural farming practices be adopted and biodiversity mainstreamed into various schemes, programmes, projects and plans of the Agricultural Ministry. Professor Ramesh Chand, Member, NITI Aayog, presided over the meeting and stressed the need to adopt organic farming practices to increase India's biodiversity. Dr. Amita Prasad, Additional Secretary, MoEFCC, delivered the Keynote Address and Dr. Meenakumari, Chairperson, NBA, delivered a Special Address.

### ***Bilateral Experience Sharing Workshop on Access and Benefit Sharing and Invasive Alien Species:***

An experience-sharing workshop on 'ABS and Invasive Alien Species' was held from March 8th to 11th, 2017, at NBA, Chennai. Norwegian delegates (Ms. Maja Stade Aaronaes, Dr. Sunniva Margrethe Due Agaard and Ms. Astrid Berge, Senior Advisors, Norwegian Environment Agency, Dr. Inga Elise Bruteig, Research Director, Norwegian Institute of Nature Research, Ms. Toril Loennechen Moen, Senior Advisor and Dr. Ulf Hanno Pichl, Researcher, Norwegian Biodiversity Information Centre), Indian experts on ABS (Dr. R.S. Rana, Chair – Expert Committee on Agro-biodiversity, NBA, Prof. M.K. Ramesh, National Law School, Dr. Mangala

Rai, Chair - Expert Committee on Access & Benefit Sharing, NBA, Dr. Oommen V. Oommen, Chairman, Kerala State Biodiversity Board, Dr. Sharan Gouda, Assistant Controller of Patents and Designs) and officials of NBA/CEBPOL participated in the workshop. All the Norwegian and Indian delegates made presentations. This was followed by a field trip to Hyderabad to understand the ABS mechanism at the grassroots level. There was also a parallel session on Invasive Alien Species and Access and Benefit Sharing, at which information was shared about the current status and trends in invasive alien species research and ABS mechanism being implemented in India and Norway. The recommendations at the conclusion of the workshop



included development of an Indian Invasive Alien Species Information System (IIASIS), awareness creation through

capacity building, developing guidelines on risk assessment protocols and ways to achieve the Aichi Target.

### 12.3 Indo-German Access and Benefit Sharing (ABS) Partnership Project

The ABS partnership project was commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ). The project will be implemented in partnership with the MoEFCC and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH under the Indo-German Biodiversity Programme.

The project is being implemented at the national level by the NBA in partnership with the State Biodiversity Boards of Maharashtra, Tamil Nadu, and Uttarakhand.

The project aims at strengthening the capacities of the NBA, the SBBs and the BMCs, as well as the capacities of groups

using biological resources and associated knowledge for the effective implementation of ABS mechanisms under the BD Act 2002, in keeping with India's commitments under the Nagoya Protocol.

The project will focus on the following objectives:

- Awareness raising, communication and stakeholder dialogues for creating better understanding of the Biological Diversity Act 2002, ABS Guidelines and Nagoya Protocol among various entities and stakeholder groups
- Development of good practices of benefit sharing with communities, based on utilization of biological



resources for commercial and/or research purposes

- Development of an ABS monitoring system for the NBA and SBBs to effectively monitor utilization of Indian bio-resources

Highlights of the events held under the project are as follows:

#### **Knowledge and Experience Sharing Workshop on ABS held on 28-29th June 2016**

A two-day experience-sharing workshop was held in Chennai from 28th June, 2016. The workshop was inaugurated by Dr. Amita Prasad, Additional Secretary, MoEFCC, and Dr. B Meenakumari, Chairperson, NBA. Shri T Rabikumar, NBA Secretary, and the then Director of the Indo-German Biodiversity Program of GIZ, Mr. Edgar Endrukaitis and Dr. Hartmut Meyer, Advisor, ABS Capacity Development Initiative, GIZ Headquarters, were present. The workshop provided a platform to SBBs to share their experiences and lessons learnt in implementing ABS arrangements. It brought together 35 representatives from

the NBA, the SBBs, the UNDP and UNEP-GEF ABS projects. Participants highlighted their achievements, lessons learnt, ABS good practices, success stories and the challenges faced in implementation. The project will be implemented for a period of four years from May 2016 to April 2020.

#### **Operational Planning Workshop held from 16th to 18th November 2016**

An operation planning workshop was held from 16th to 18th November 2016 at the NBA premises to chalk out activities under the project. Dr. Meenakumari, Chairperson, and Shri. T. Rabikumar, Secretary, NBA, and Dr. Konrad Uebelhör, Director, Indo-German Biodiversity Programme of GIZ, were present. Dr. Hartmut Meyer, Global ABS Capacity Development Initiative, GIZ, was the resource person and moderated the workshop. Chairpersons and Member Secretaries of three project states, viz: Maharashtra, Tamil Nadu and Uttarakhand, and ABS project personnel jointly prepared the Operational Plan for 2017.



***Annexures***

## ANNEXURE 1

## MEMBERS OF THE AUTHORITY

The members of the authority as per Section 8(4a) of the Biological Diversity Act 2002 are as follows:

CHAIRPERSON	PERIOD
Dr. (Ms). B. Meenakumari	09th February 2016 onwards
Shri. Hem Pande, IAS,	06 <sup>th</sup> Feb 2014 to 08 <sup>th</sup> Feb 2016
Dr. Balakrishna Pisupati	12 <sup>th</sup> Aug 2011 to 05 <sup>th</sup> Feb 2014
Shri M.F. Farooqui, IAS	11 <sup>th</sup> Nov 2010 to 11 <sup>th</sup> Aug 2011
Dr. P.L. Gautam	31 <sup>st</sup> Dec 2008 to 03 <sup>rd</sup> Nov 2010
Shri P.R. Mohanty, IFS	01 <sup>st</sup> Oct 2008 to 31 <sup>st</sup> Dec 2008
Shri G.K. Prasad, IFS	20 <sup>th</sup> May 2008 to 30 <sup>th</sup> Sep 2008
Dr. S. Kannaiyan	20 <sup>th</sup> May 2005 to 19 <sup>th</sup> May 2008
Shri Viswanath Anand, IAS	01 <sup>st</sup> Oct 2003 to 14 <sup>th</sup> July 2004

The present Ex-Officio Members of the Authority as per Section 8(4 b, c) are as under:

SI No	Ex-Officio Member	Represented by
1	Joint Secretary or an officer of an equivalent rank to the Government of India in the Ministry of Tribal Affairs.	The Director, Ministry of Tribal Affairs, Room no. 736, A-Wing, 7th Floor, Shastri Bhawan, New Delhi – 110001.
2	Additional Director General (Forests) Ministry of Environment and Forests, Government of India.	Dr. Anil Kumar, IFS, Additional Director General of Forests, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi - 110 003
3	Joint Secretary to the Government of India dealing with the subject in the Ministry of Environment and Forests.	Dr. Sujata Arora, Adviser/Scientist-G, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi - 110 003
4	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Agriculture Research and Education, Ministry of Agriculture.	Dr. R.K Singh, Joint Secretary (Seeds), Dept. of Agriculture and Cooperation, Room no. 244, Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi - 110 001
5	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Biotechnology.	Dr. Renu Swarup, Senior Advisor, Department of Biotechnology, CGO Complex, Block No. 2, Lodhi Road, New Delhi 110 003
6	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Ocean Development.	Dr. R. Kirubakaran, Scientist G, National Institute of Ocean Technology, Ministry of Earth Sciences, Velachery-Thambaram Main Road, Narayanapuram, Pallikarainai, Chennai – 600 100.

7	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Agriculture and Cooperation.	Dr. Jeet Singh Sandhu, Deputy Director General, Division of Crop Science, ICAR, Krishi Bhavan, Dr. Rajendra Prasad Road, New Delhi - 110 001
8	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with subject in the Department of Indian Systems of Medicine and Homeopathy.	Smt. Shomita Biswas, Chief Executive officer, National Medicinal Plant Board, Department of AYUSH, Ministry of Health & Family Welfare, 3rd Floor, AYUSH Bhawan, B Block, G.P.O. Complex, I.N.A., New Delhi-110 023
9	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Science and Technology.	Dr. Sanjay Kumar, Director, Institute of Himalayan Bio resource Technology P O No:6, Palampur, Himachal Pradesh:176061
10	Joint Secretary or an officer of an equivalent rank to the Government of India dealing with the subject in the Department of Scientific and Industrial Research.	Dr. B.K Shukla, Scientist G & Head Planning, Coordination and Performance Management, Department of Science & Technology, New Mehrauli Road, New Delhi – 110 016

#### NON-OFFICIAL MEMBERS (From 21 March, 2017 to 20 March, 2020)

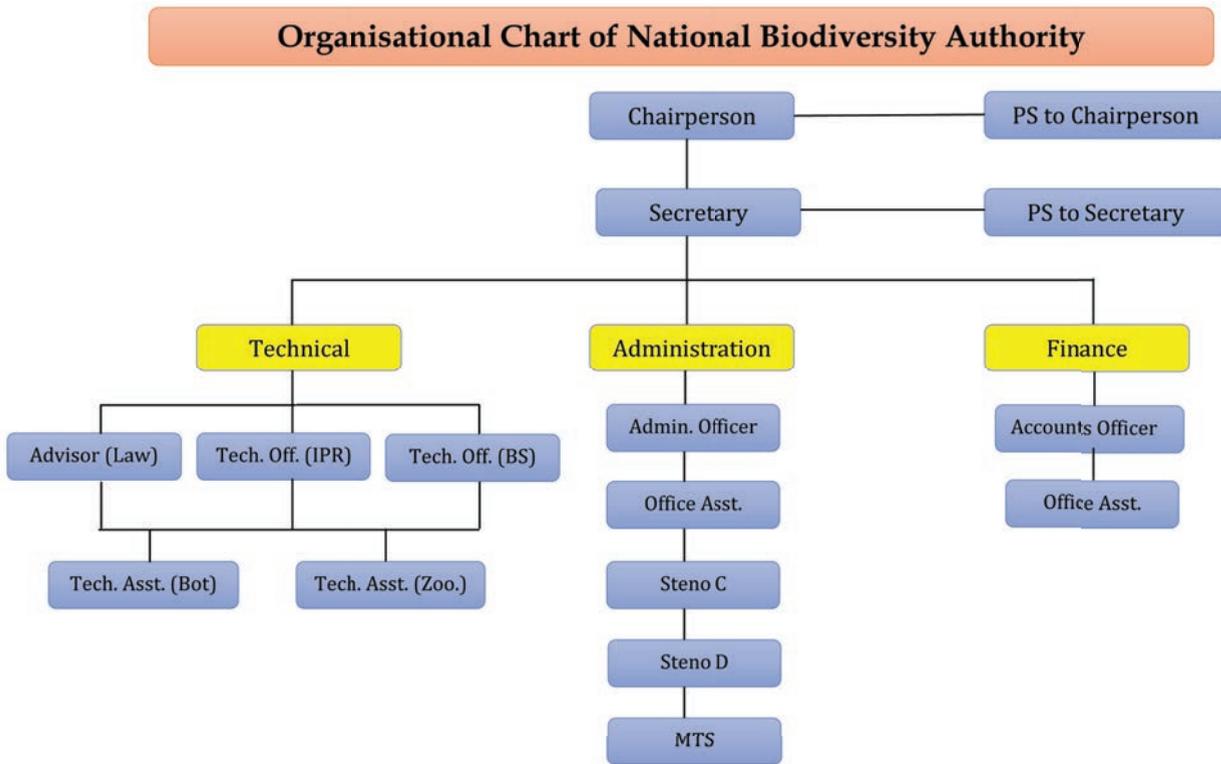
1.	Prof. Umesh Rai, Director, South Campus -University of New Delhi, Room No: 106, Department of Zoology, University of Delhi, New Delhi: 110 007
2.	Shri Darshan Shankar, Chancellor, Trans Disciplinary University, C/o Foundation of Revitalization of Local Health Traditions (FRLHT), Bangalore – 560 064
3.	Dr Parimal Chandra Bhattacharjee, A/3 Asiyana Housing Complex Maligon, Guwahati – 781011, Assam.
4.	Dr Yogesh Shouche, Senior Microbiologist, National Centre for Cell Science Department of Biotechnology Lab, University of Pune Campus, University Road, Ganeshkhanda, Pune, Maharashtra
5.	Dr. Dinesh Mishra, No.65, Section 8, Gandhi Nagar, Gujarat – 382008.

#### Secretary to the Authority Under Section 9 of Biological Diversity Rules-2004

Shri T. Rabikumar, IFS., from 02-4-2014 onwards.

ANNEXURE 2

ORGANISATION CHART



Besides the above Officers and staff, the NBA is supported by the Consultants to assist in technical and miscellaneous matters as per Rule 12(6). The role of consultant is more or less similar to 'Amicus Curiae' in the Court of Law. Besides they assist Chairman and Secretary in preparation of scientific, position papers and project reports etc.

ANNEXURE 3

STAFF STRENGTH INCLUDING RECRUITMENT

POST	SANCTIONED	FILLED	VACANCY
Chairperson	1	1	-
Secretary	1	1	-
PS to Chairperson	1	1	-
PS to Secretary	1	1	-
Admin. Officer	1	1	-
Accts. Officer	1	0	1
Technical Officer	2	2	-
Advisor(Law)	1	1	-
Office/Comp.Asst	2	2	-
Technical Asst	2	2	-
Steno "C"	1	1	-
Steno "D"	1	1	-
Peon	1	1	-
Total	16	15	1

## PUBLICATIONS

- Report on the Eleventh National Meeting of State Biodiversity Boards, Published by NBA.
- 'The Nagoya Protocol on access to genetic resources and benefit sharing: User- country measures and implementation in India,' authored by Christian Prip (FNI, Norway) & Charlotte Van't Klooster (NBA, CEBPOL, India) (2016).
- 'The state of technology transfer obligations in global environmental governance and law: Biodiversity conservation and sustainable use,' authored by Christian Prip (FNI, Norway) & G. Kristin Rosendal & Morten Walloe Tvedt (FNI, Norway) (2016).
- Pamphlet on Institutional Structure under the Biological Diversity Act. (Hindi & English)
- Pamphlet on Application Catalogue (Hindi & English)

## LIST OF BIOIDVERSIY HERITAGE SITES (BHS)

S.No.	State	Name of the BHS	Location	Notification No.
1	Karnataka	Tamarind groves in Nallur	Devanahalli Taluk	Aaapaji 154 ENV 2006, Bangalore Dt.24.01.2007
2	Karnataka	Ghandi Krushi Vignana Kendra (GKVK), University of Agricultural Sciences	Bangalore (Urban) District	No.FEE.132 ENV 2009, Dt: 02.09.2010
3	Karnataka	Hogrekhan	Kadur Taluk, Chick-magalore District	No.FEE.35 ENV 2009, Dt: 04.09.2010
4	Karnataka	Ambaraguda	Shimoga District	2011
5	Maharashtra	Glory of Allapalli	Gadchiroli District	No.WLP.0914/C.R.317/M-1, Dt: 15.07.2014
6	West Bengal	Dhotrey	Darjeeling District	No.716-ENT/T-11-7/003-ii/2003, Dt: 20.03.2015
7	West Bengal	Tonglu	Darjeeling District	No.716-ENT/T-11-7/003-ii/2003, Dt: 20.03.2015
8	Uttar Pradesh	Gharial Rehabilitation Centre	Kukrail, Lucknow	No 1348/XVI-5-2016-15/2016, Dt: 11.08.2016
9	Telangana	Ameenpur Lake	Sangareddy District	449/EFS&T (FOR.II) Department, dated 21.11.2016
10	Assam	Majuli River Island	Majuli District	FRW 57/2005/VoIII/14, Dt: 29.03.2017
11	Manipur	Dialong Village	Tamenglong	No.24/3/2017-For &ENVT, Dt: 23.05.2017

## TRAINING COURSES/SEMINARS/WORKSHOPS ORGANIZED/ATTENDED

The Biotech Consortium India Limited, with the support of the Department of Biotechnology and CEBPOL, NBA, organized a series of awareness-creating workshops on guidelines for ABS, 2014 in various parts of the country for the benefit of stakeholders such as researchers and scientists who deal with biotechnology, life sciences, etc. at Universities/ Colleges / Institutes, other entities, and SBBs.

The first workshop was held on 13th June 2016 at New Delhi. It was inaugurated by Prof. Vijayraghavan, Secretary, DBT. Dr.B.Meenakumari, Chairperson, NBA, Dr. Amita Prasad, IAS, Additional Secretary, MoEFCC, Dr. R B Singh, Padma Bhushan, Chancellor CAU and Dr Renu Swarup, Senior Advisor, DBT, were present. The workshop comprised key lectures on the BD Act, Nagoya Protocol on ABS and ABS guidelines 2014. Hands-on training was provided for participants. The workshop was attended by 45 persons.

Similar workshops were conducted in Guwahati, Assam on 22nd June 2016 and Kolkata on 24th June 2016. They were well attended by representatives of various sectors and the participants actively interacted with resource persons on ABS issues.

An interactive media workshop was organized by the Centre for Environmental Communication at New Delhi on 14th June 2016 with the support of the NBA for engaging the media on national biodiversity targets and the BD Act. Realizing the need for sensitization on the BD Act, communications were sent to the Indian Council for Agricultural Research (ICAR), Indian Council of Medical Research (ICMR), All India Council for Technical Education (AICTE), Indian Institute of Technology (IIT - 18 Institutions across India), Pharmacy Council of India (PCI) and Medical Council of India (MCI), informing these bodies of the salient aspects of the BD Act and the need for compliance. As a result, some of the organizations have directed their subordinate institutions to comply with the provisions of the BD Act while carrying out activities which require the approval of the NBA.

A meeting was held between NBA and Protection of Plant Varieties and Farmers' Rights Authority (PPVFRA) on 6th January 2017, at the NBA, Chennai, to discuss areas where synergy could be achieved. As there are overlapping areas between them, members felt the two authorities may work together in order to achieve the mandates.

The 3rd meeting of the Bergey's International Society for Microbial Systematics (BISMIS) was held from September 12th – 15th, 2016 at the Microbial Culture Collection (MCC) in Pune. The meet was attended by editors of various journals, the Vice-Chair of the International Committee on Systematics of Prokaryotes and Heads of major culture collections in Europe and Asia. The Secretary, NBA, made a presentation on 'Procedure for obtaining NBA permission for depositing and distribution of microorganisms' and also apprised participants about the provisions of the BD Act and BD Rules.

## ANNEXURE 7

### Participation of NBA Officials in Meetings organized by other Ministries / Departments

The NBA actively participated in committees constituted by various Ministries/ Departments, such as DGFT, ICAR, CSIR, DBT, PPVFRA, MoEFCC, etc., and provided inputs with respect to the provisions of the BD Act, 2002 for effective implementation of the Act.

A joint workshop on seeds development organized by the Protection of Plant Varieties and Farmers' Rights Authority (PPVFRA) under Indo-German Bilateral Co-operation was held on 23rd and 24th May 2016. As part of the event, A stakeholders' meet was also organized to clarify issues such as ABS, seed movement and required formalities, and IPR.

The National Academy of Agricultural Research Management, Hyderabad, organized two Management Development Programmes -on 'Intellectual Property and Technology Management for Researchers' from 13th to 16th June 2016, and a 'Leadership Development (a pre-RMP Programme) from 7th to 18th June 2016. The Secretary, NBA, made a presentation on 'The Biological Diversity Act and the role of NBA' in the joint session organized for both the programmes. The event was attended by 19 middle-level researchers belonging to the National Agricultural Research and Education System and 17 senior-level professionals, mainly from the ICAR system.

A brainstorming session on 'Harmonization of Regulations on Access to Biological Resources and Seed movement under the Biological Diversity Act, 2002' was organized by the CABI, South Asia, India, with the Support of M/s Crop Life Asia and The Association of Biotech-Led Enterprises–Agriculture Group on 22nd September, 2016 at the NBA, Chennai, for understanding the provisions of the BD Act.

The Department of Biotechnology called a meeting of officials of the NBA, NCCS and Imtech on 20th Dec 2016 at DBT, New Delhi, to discuss issues related to deposit of and access to microorganisms by Indian and non-Indian researchers for non-commercial research. The Chairperson and Secretary, NBA participated in the discussions.

## AUDIT REPORT

Regd Post  
2/10/17कार्यालय प्रधान निदेशक लेखापरीक्षा  
वैज्ञानिक विभाग,  
नई दिल्ली-110002

सं.प्र.नि.वै.वि./प.ले./एस.ए.आर./NBA-Chennai/2017-18/866-869

दिनांक:

10 NOV 2017

सेवा में,

Sh. T. Rabi Kumar  
Secretary,  
National Biodiversity Authority,  
TICEL BIO PARK,  
5<sup>th</sup> Floor, Taramani Road,  
Taramani, Chennai-600113NATIONAL BIODIVERSITY AUTHORITY  
CHENNAI.DIARY No. 2814  
RECEIVED ON 15/11/17

विषय: वर्ष 2016-17 के लिए National Biodiversity Authority, Chennai का पृथक लेखापरीक्षा प्रतिवेदन

महोदय,

मुझे वर्ष 2016-17 के लिए National Biodiversity Authority, Chennai का पृथक लेखापरीक्षा प्रतिवेदन अग्रेषित करने का निर्देश हुआ है।

संसद के दोनों सदनों में प्रस्तुत करने से पहले वर्ष 2016-17 के वार्षिक लेखों को संस्थान के शासी निकाय द्वारा अनुमोदित किया/अपनाया जाए तथा इस संबंध में शासी निकाय द्वारा जारी किया गया रेज़ोल्यूशन ऑडिट को भेजा जाए। प्रत्येक दस्तावेज जो संसद में प्रस्तुत किया जाए उसकी तीन प्रतियाँ इस कार्यालय तथा दो प्रतियाँ भारत के नियंत्रक महालेखापरीक्षक को अग्रेषित की जाए। संसद के दोनों सदनों में प्रस्तुत करने की तिथियाँ भी इस कार्यालय को सूचित की जाए।

संलग्नक:- पृथक लेखापरीक्षा प्रतिवेदन

भवदीय,  
निदेशक (पर्या.ले.)18/11  
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## **Separate Audit Report of the Comptroller & Auditor General of India on the Accounts of National Biodiversity Authority, Chennai for the year ended 31 March 2017.**

1. We have audited the attached Balance Sheet of the National Biodiversity Authority (NBA), Chennai as at 31 March 2017 and Income & Expenditure Account/Receipts & Payments Account for the year ended on that date under Section 19(2) of the Comptroller & Auditor General's (Duties, Powers & Conditions of Service) Act, 1971 read with Section 29(2) of Biological Diversity Act. These financial statements are the responsibility of the National Biodiversity Authority, Chennai's management. Our responsibility is to express an opinion on these financial statements based on our audit.

2. This Separate Audit Report contains the comments of the Comptroller & Auditor General of India (CAG) on the accounting treatment only with regard to classification, conformity with the best accounting practices, accounting standards and disclosure norms, etc., Audit observations on financial transaction with regard to compliance with the Law, Rules & Regulations (Propriety and Regularity) and efficiency-cum-performance aspects, etc., if any, are reported through Inspection Reports/CAG's Audit Reports separately.

3. We have conducted our audit in accordance with auditing standards generally accepted in India. These standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. An audit includes examining, on a test basis, evidences supporting the amounts and disclosure in the financial statements. An Audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of financial statements. We believe that our audit provides a reasonable basis for our opinion.

4. Based on our audit, we report that

- i) We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purpose of our audit.
- ii) The Balance Sheet and Income & Expenditure Account/Receipts & Payments Account dealt with by this report have been drawn up in the format prescribed by the Ministry of Finance.
- iii) In our opinion, proper book of accounts and other relevant records have been maintained by the National Biodiversity Authority, Chennai as required under Section 29(2) of Biological Diversity Act in so far as it appears from our examination of such books.

iv) Based on our audit, we further report that:

### **(A) Balance Sheet**

#### **A.1. Current Liabilities and Provisions (Schedule-7)**

##### **1. Current Liabilities ₹ 36.37 lakh.**

a) The above amount of ₹36.37 lakh included an amount of ₹10.37 lakh worked out as provision for sick leave (Half pay leave). Since provision for leave encashment is required to be made for only earned leave. The action of NBA in providing provision for half-pay leave resulted in overstatement of liabilities to the extent of 10.37 lakh. This also led to corresponding understatement of capital account in the asset side.

(b) An amount ₹1.67 lakh shown as liabilities under UNDP project. The project account was closed in March 2013. Now there was no liability to be discharged by NBA. Therefore, this liability should be revised in the books of Accounts.

## **A.2.Assets**

### **A.2. Current Assets, Loans & Advances (Schedule - 11)**

#### **A.2.1. Current Assets**

1) An amount of ₹80.20 lakhs was shown under “Current Assets” as amount recoverable from Government for provision made towards terminal benefits such as Gratuity and Leave Encashment. As the amount of provision was required to be shown as expenditure and the resultant Surplus/Deficit of Income and Expenditure Account is to be added/deducted from Capital Fund, depicting the amount as recoverable from Government led to overstatement of Current Assets to the extent of ₹80.20 lakhs. A provision for ₹80.20 lakh (Schedule-7-B-Provisions) was created for retirement benefits (Gratuity and Encashment of Earned Leave/Sick leave) based on actuarial valuation during the financial year 2016-17. This provision, however was not charged as an expense to the Income and Expenditure Account. This resulted in understatement of expenditure to the extent of ₹80.20 lakh. This resultant surplus of income was added to capital fund which led to overstatement of capital fund.

2) NBA paid an amount of 5.32 lakh to BSNL as charges for providing 4Mbps leased Internet line in March 2015. As the charges was meant for the financial year 2015-16, this was treated as pre-paid expenses and the amount therefor was depicted under Current Assets. From next year onwards NBA paid actual charges pertaining to the respective year and no pre-paid expenses was incurred. However, the opening balance shown in the ledger for ₹5.32 lakh was not closed and was carried forwarded to the year 2016-17 also. Finally NBA surrendered the internet line to BSNL in March 2017. the opening balance was carried forward and depicted under Current Assets though there was no such expenditure incurred in the year 2016-17. The Current Assets, therefore was overstated to the extent of ₹5.32 lakh.

3) NBA paid an amount of ₹1.12 lakh in April, 2013 to STQC, Chennai for conducting Web Application Security Audit. This amount was shown as Current Assets in the accounts for the year 2013-14 as the work was pending and report for STQC is not received. STQC completed the audit

md submitted the report in November, 2015. Thus, NBA received value for money paid in kind. The amount, however shown as balance in the ledger was carried forward to the Annual Accounts for the year 2016-17 also. Thus, the Current Assets was overstated to the extent of ₹1.12 lakh.

4) During 2016-17 NBA earned an amount of ₹ 18.18 lakh and ₹ 10.66 lakh as interest under NBA Fund Account and NBA Authority Account respectively. NBA however did not depict this interest earned as interest accrued under 'Current Assets' in the balance sheet. Thus, Current Assets is understated to the extent of ₹ 28.84 lakh. Correspondingly Endowment Fund account is understatement to the extent of ₹ 10.66 lakh and Income under Income and Expenditure account is understatement to the extent of ₹ 18.18 lakh.

## **(B) General**

### **B.1 Contingent Liabilities.**

NBA did not disclose the contingency of payment of amount of ₹ 21.20 lakh payable to NIC in "Notes to Accounts" as contingent liabilities.

### **B.2 Bank Balance.**

There was a difference ₹ 7.54 lakh in Authority Bank Account and ₹ (-) 0.10 lakh under 'Fund' Bank account. NBA could not explain and reconcile the difference. Thus, these has been unexplained difference both in Authority Account and Fund Account to the extend of ₹ 7.54 lakh and ₹ (-) 0.10 lakh respectively. These should be reconciled promptly.

### **B.2, Bank Reconciliation**

Audit check revealed that cheques amounting of ₹ 1.26 lakh pertaining to "Authority Account" though time bared were not cancelled and amount not reversed to cash book. The absence of proper bank reconciliation therefore led to understatement of Current Liabilities by ₹ 1.26 lakh. Similarly audit noticed that NBA received ₹ 59.57 lakh as receipts towards application fee etc. till March 2017. The receipts however were not treated as receipts and taken to NBA into 'NBA Fund Account'. NBA kept these receipts under 'Bank Reconciliation' due to carious reasons such as non-availability of identity of person who remitted fee etc., The receipts received as far back as March 2009 were not recongnised as receipts. There are receipts amounting to ₹ 16.78 lakh which are pending to be recognised for more than one year.

The non-accountal of receipts therefore resulted in understatement of bank balance to the extent of ₹ 59.57 lakh.

### **B.4. Sugnificant Accounting Policies.**

NBA in its Significant Accounting Policies under Schedule 24 stated that Government Grants/Subsidies are accounted on realization basis. This is not in order as these are to be accounted on accrual basis.

**C) Grants-in-aid**

During the year 2016-17, NBA received grant-in-aid of 18.69 crore. This included unspent balance of 1.09 crore revalidated from previous year and out of the total available funds of 18.69 crore, NBA could utilize a sum of 17.52 crore leaving a balance of 1.17 crore as on 31 March 2017.

**(D) Management letter**

Deficiencies which have not been included in the Draft Separate Audit Report have been brought to the notice of the National Biodiversity Authority through Annexure I and II for remedial / corrective action.

vi) Subject to our observations in the preceding paragraphs, we report that the Balance Sheet, Income & Expenditure Account and Receipts & Payment Account dealt with by report are in agreement with the books of accounts.

vi) In our opinion and to the best of our information and according to the explanations given to us, the said financial statements read together with the Accounting Policies and Notes on Accounts, Subject to the significant matters stated above and other matters mentioned in Annexure I to this Separate Audit Report give a true and fair view in conformity with accounting with accounting principles generally accepted in India.

- a. In so far as it relates to the Balance Sheet, of the state of affairs of the National Biodiversity Authority, Chennai as at 31 March 2017 and
- b. In so far as it relates Income & Expenditure Account of the surplus for the year end on that date.

For and on behalf of the C & AG of India.

*Manik Kumar*

**Principal Director of Audit**  
( Scientific Departments)

Place : New Delhi

Date : 10/11/2017

## Annexure - I to Separate Audit Report

### **1. Adequacy of Internal Audit System**

Internal Audit of NBA was conducted upto the period March, 2014. No internal audit was conducted for last three years. Audit also noticed that entire report containing 6 paras for the report ending 2014 is still pending for want of compliance. Therefore, the internal audit in NBA needs to be strengthened.

### **2. Adequacy of Internal Control System**

The internal control in NBA is inadequate as internal audit was not done and Bank reconciliation was not done and receipt were shown in Bank reconciliation.

### **3. System of physical verification of fixed assets**

NBA conducted physical verification of Assets items, stores and inventory during the year 2016 - 17. The surplus, damaged, underviceable, old and obsolete items though identified were not disposed off.

### **4. System of physical verification of inventory**

physical verification of inventory was carried out at regular intervals.

### **5. Regularity in payment of statutory dues:**

The Authority was regular in payment of statutory dues.



**Director (E.A)**



मनीष कुमार  
प्रधान निदेशक

सत्यमेव जयते

प्रधान निदेशक, लेखा परीक्षा  
वैज्ञानिक विभाग  
ए० जी० सी० आर० भवन, इन्द्रप्रस्थ एस्टेट  
नई दिल्ली - 110 002  
PRINCIPAL DIRECTOR OF AUDIT,  
SCIENTIFIC DEPARTMENTS,  
A.G.C.R. BUILDING, I.P. ESTATE,  
NEW DELHI-110 002

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सं.प्र.नि.ले.प./वै.वि./पर्या./SAR/NBA-  
BNG/2017-18/870

दिनांक:

10 NOV 2017

Dear *Shri Rabi Kumar,*

I have audited the annual accounts of National Biodiversity Authority, Chennai, Chennai for the year 2016-17 and have issued the Audit Report thereon vide letter dated *10/11/2017*..... During the course of audit, some deficiencies were notice (as per Annexure 'A') which are of a relatively minor and were, therefore, not included in the audit report. These are being brought to your notice for remedial and corrective action.

*Regards,*  
भवदीय,  
*Manish Kumar*

संलग्नक:-यथोपरि

**Sh. T. Rabi Kumar**

**Secretary,**

National Biodiversity Authority  
TICEL BIO PARK,  
5th Floor, Taramani Road,  
Taramani, Chennai - 600113

## Annexure - A

### **1. Understatement of Capital Fund - (Schedule-1)**

NBA incurred expenditure of ₹ 5.54 lakh towards purchase of Assets during 2016-17. However, an amount of ₹ 5.44 lakh alone was capitalized and added to Capital Fund. The Capital Fund therefore was understated to the extent of ₹ 0.10 lakh, correspondingly the revenue grant shown in the Income and Expenditure Statement was overstated.

### **2. Utilization certificates**

It was observed that out of 786 grants released to SBBs and other organisations during the last twelve years, UCs were received only in respect of 553 grants, leaving a pendency of 233 Ucs to be received for an amount of ₹ 31.86 crore.

  
**Director (E.A)**

## About NBA

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The National Biodiversity Authority (NBA) was established in 2003 to implement India's Biological Diversity Act (2002). The NBA is a Statutory, Autonomous Body and it performs facilitative, regulatory and advisory functions for Government of India on issues of conservation, sustainable use of biological resources and fair and equitable sharing of benefits arising out of the use of biological resources.

The Biological Diversity Act (2002) mandates implementation of the Act through decentralized system with the NBA focusing on advising the Central Government on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of benefits arising out of the utilization of biological resources; and advising the State Governments in the selection of areas of biodiversity importance to be notified under Sub-Section (1) of Section 37 as heritage sites and measures for the management of such heritage sites. The State Biodiversity Boards (SBBs) focus on advising the State Governments, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilization of biological resources.

The SBBs also regulate, by granting of approvals or otherwise requests for commercial utilization or bio-survey and bio-utilization of any biological resource by Indians. The local level Biodiversity Management Committees (BMCs) are responsible for promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and microorganisms and chronicling of knowledge relating to biological diversity.

The NBA with its headquarters in Chennai, Tamil Nadu, delivers its mandate through a structure that comprises of the Authority, Secretariat, SBBs, BMCs and Expert Committees

Since its establishment, NBA has supported creation of SBBs in 29 States and, facilitated establishment of 62, 502 BMCs at local level.

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### **National Biodiversity Authority**

5th Floor, TICEL Bio Park,  
CSIR Road, Taramani,  
Chennai - 600 113

Tel: +91-44-2254 1805 | Fax: +91-44-2254 1073 | e-mail: [chairman@nba.nic.in](mailto:chairman@nba.nic.in)