सत्यमेव जयते

Ministry of Environment
Forests and Climate Change

PROCEEDINGS

79th AUTHORITY MEETING

01st September 2026

NBA, Chennai

NATIONAL BIODIVERSITY AUTHORITY
Chennai

PROCEEDINGS FOR THE 79TH AUTHORITY MEETING OF THE NATIONAL BIODIVERSITY AUTHORITY

The 79th Authority meeting of the National Biodiversity Authority (NBA) was held on 1st September 2026 at NBA, Chennai, under the Chairmanship of Shri Virendra R Tiwari, IFS (Retd.) Chairman, National Biodiversity Authority. The list of participants is given in the **Annexure-I.**

2. At the outset, Dr B. Balaji, Member Secretary, NBA, welcomed the Chairman and the Members of the Authority who joined in person and online including the Member Secretaries of the Madhya Pradesh, Odisha, and Andhra Pradesh. The Member Secretary then made a detailed presentation on the agenda items, which are as follows:

3. The Member Secretary and Chairman, NBA appreciated and thanked the non-official members Dr. Joykumar Laishram and Dr. Alka Rao for their valuable contributions, support and the sincere efforts taken during their tenure as non- official members of NBA (upto 05.09.2026).

79.01: Confirmation of the Proceedings of the 78th Authority meeting

The draft Proceedings of the 78th meeting of the National Biodiversity Authority (NBA) held on **23.05.2026** at Indian Institute of Forest Management, Bhopal were circulated to the members *via* e-mail dated 29.05.2026 to seek their comments. No comments were received and the same was informed to the members. The members unanimously agreed to confirm the Proceedings of the 78th Authority meeting.

Decision: *The Proceedings of the 78th Authority Meeting were confirmed.*

79.02: Action Taken Report of the 78th Authority Meeting

The Member Secretary apprised and explained the members of the actions taken on the decisions taken of the 78th Authority meeting and the members deliberated the same. During the discussion of **Agenda item No. 78.03 (**To consider the proposal to designate The Natural History Museum & Research Centre as the Designated National repository under Section 39 of the Biological Diversity (Amendment) Act, 2023), Dr. Hanchinal R Ramappa, Non-official member mentioned that there are few Universities such as Shivaji University, Kolhapur and Government Institutions such as Keralum State Council for Science and Technology etc. who are interested to be designated as repositories. The members deliberated the issue and came to a conclusion that the interested Universities shall submit proposal to NBA for

consideration. The NBA can constitute a committee of its authority members to review the same and submit its report for proceeding further.

2. Further, during the discussion on **Agenda item No. 78.11** (Consultation meeting with Repositories/Institutions to discuss the source of biological resources accessed for research/commercial utilisation and the modalities for distribution of ABS funds), Dr. Alka Rao, non-official member mentioned that CSIR- Institute of Microbial Technology (CSIR-IMTECH) has strains that does not have Indian origin and hence requested NBA to provide the accession numbers of microbial strains for which the ABS has been disbursed for. This will help the CSIR-IMTECH to identify the strains that are of Indian origin and identify the submitter of the strain for ABS disbursement.

3. The Member Secretary, NBA during the discussion presented a Sanction Order issued by NBA for the disbursal of funds to the SBBs/ UTBCs and mentioned that the Sanction Order is elaborate and provides the conditions that need to be followed by the SBBs/ UTBCs. In this regard, the Member Secretary, Andhra Pradesh SBB pointed out that in the Sanction Order, NBA may provide sub-section (2) along with Section 21 of the Biological Diversity Act (Amended) 2023 to be more specific. Further, he also mentioned that Regulation 12(b) of the ABS Regulations 2025 may also be included appropriately in the Sanction Order.

Decision: *The members noted the actions taken by the NBA on decisions taken in the 78th Authority meeting. It was decided that the comments given by the member i.e. Member Secretary, APSBB are to be followed in future sanction orders.*

79.03: To consider the draft Annual report of NBA for the year 2025-26

The Member Secretary, NBA apprised the members that the draft annual report on the activities of NBA for the year 2025-26 has been compiled. He further mentioned that the Annual Report 2025-26 along with the Annual Accounts will be submitted to the to the MoEFCC in time to place it before the Parliament.

2. He further mentioned that the Audit Report from the C&AG is awaited to be attached to the Annual Report. On receipt of the Audit Report, the Annual Report with the attached Audit Report will be forwarded to the MoEF&CC for placing on the table of the Parliament in both the Houses.

Decision: *The Authority members approved the draft Annual Report 2025-26 and directed the NBA to forward the same to the MoEFCC after incorporating the Audit Report from the C&AG for placing on the table of the Parliament in both the Houses.*

Action: Member Secretary, NBA

79.04: To consider the Annual Accounts for the year 2025 - 26

The Member Secretary, NBA informed the members that as per the decision of the Authority in its 13th meeting under Agenda Item 13.15, the Members authorized the Chairman, NBA, to approve the Annual Accounts comprising the Receipts and Payments Account, Income and Expenditure Account, and Balance Sheet for the purpose of conducting the statutory audit by the Office of the Director General of Audit, Indian Audit and Accounts Department, Environment and Scientific Departments, Chennai.

2. Accordingly, the Annual Accounts of the National Biodiversity Authority (NBA) for the financial year 2025–26 was approved by the Chairman, NBA, and submitted for statutory audit, which was conducted from 22.06.2026 to 06.07.2026.

Decision: *The Authority considered and ratified the Annual Accounts of NBA for the year 2025 – 26.*

Action: Member Secretary, NBA

79.05: To consider enhancement of financial assistance to State Biodiversity Boards/UT Biodiversity Councils based on the number of Biodiversity Management Committees

The Member Secretary, NBA mentioned that NBA extends financial assistance to SBBs and UTBCs for undertaking statutory responsibilities and mandatory activities under the Biological Diversity (Amendment) Act, 2023. Such assistance is provided under various approved components to facilitate effective implementation of the Act at the State and local body levels.

2. At present, he informed that more than 2.76 lakh BMCs have been established and 2.72 lakhs of PBRs have been prepared. The focus has now shifted from mere constitution of BMCs and preparation of PBRs to ensuring their effective operationalization, periodic updation of PBRs, implementation of Access and Benefit Sharing (ABS) provisions, biodiversity conservation planning and strengthening of local biodiversity governance mechanisms, etc. These activities have significantly increased the administrative, technical and monitoring responsibilities of SBBs and UTBCs.

3. In this regard, he mentioned that the Authority, from time to time, has enhanced financial support under various components in recognition of the increasing workload of SBBs and UTBCs. However, it is observed that the number of BMCs varies

considerably among States and Union Territories, resulting in substantial differences in the magnitude of responsibilities handled by each SBBs and UTBCs.

4. The Member Secretary, NBA apprised the members that states having a larger number of BMCs are requiring additional manpower and resources for coordination, capacity building, monitoring, technical support, data management, updation of PBRs and implementation of biodiversity-related programmes. Further, several SBBs have represented to NBA that the existing financial assistance is insufficient to effectively manage the increased workload associated with a large number of BMCs.

5. In view of the above, he proposed that the existing uniform funding pattern does not adequately reflect the variation in workload arising from the number of BMCs under the jurisdiction of different SBBs/UTBCs. Therefore, it is proposed to adopt a graded funding mechanism linked to the number of BMCs constituted in the respective State/UT for selected components, while retaining the existing financial norms for all other components.

I. Financial Assistance for Outsourcing of Contractual Staff:

Considering the increasing workload relating to monitoring of BMCs, PBR updation, ABS implementation, data management and field coordination, the financial assistance for outsourcing for engaging human resources may be revised as follows:

Sl. No.	Number of BMCs	Proposed Financial Assistance (₹ lakh / Financial year)	SBBs / UTBCs
1	Less than 1,000	14,00,000	1. Mizoram 2. Goa 3. Sikkim 4. Ladakh 5. A & N Islands 6. Daman & Diu and Dadra & Nagar Haveli 7. Puducherry 8. Lakshadweep 9. Chandigarh 10. Delhi
2	1001 - 5,000	16,00,000	11. Jharkhand 12. Jammu & Kashmir 13. West Bengal 14. Himachal Pradesh 15. Assam 16. Manipur 17. Arunachal Pradesh 18. Nagaland 19. Tripura 20. Kerala
3	5,001 – 10,000	18,00,000	21. Bihar 22. Uttarakhand

Sl. No.	Number of BMCs	Proposed Financial Assistance (₹ lakh / Financial year)	SBBs / UTBCs
			23. Odisha 24. Karnataka 25. Meghalaya 26. Haryana
4	10,001 – 20,000	21,00,000	27. Gujarat 28. Andhra Pradesh 29. Tamil Nadu 30. Punjab 31. Telangana 32. Chhattisgarh 33. Rajasthan
5	20,001 – 30,000	24,00,000	34. Maharashtra 35. Madhya Pradesh
6	Above 30,001	30,00,000	36. Uttar Pradesh

II. Financial Assistance for Updating the existing PBRs.

Considering the need for periodic updation, validation and quality improvement of PBRs, the financial assistance may be revised as follows:

Sl. No.	Existing amount (₹)	Proposed amount (₹)
1	10,000 per PBR	12,000 per PBR

iii Financial Assistance for strengthening the BMCs

It is essential to enable the BMCs to effectively discharge their statutory responsibilities under the Biological Diversity Act, including preparation and updating of People's Biodiversity Registers (PBRs), conservation, and sustainable use at the local level. Therefore, financial assistance may be provided as follows:

Sl. No.	Existing amount (₹)	Proposed amount (₹)
1	10,00,000 per SBB	12,00,000 per SBB

IV. Financial Assistance for Preparation / Revision of State Biodiversity Strategy and Action Plan (SBSAP)

Implementing and periodically revising SBSAPs requires extensive stakeholder consultations, field assessments, integration of local biodiversity concerns, and monitoring of biodiversity targets. Therefore, financial assistance may be provided as follows:

Sl. No.	Existing funding (₹)	Proposed funding (₹)
1	Rs.5,00,000	Upto 10,00,000

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6. The Member Secretary, NBA informed the members that the proposed enhancement shall be applicable only to the above-mentioned components. Financial assistance under all other approved components shall continue as per the existing norms approved by the Authority. To this, the members agreed that, to effectively manage the increased workload associated with a large number of BMCs, the states require a huge amount. In this regard, the members appreciated the efforts taken by NBA and agreed to the enhancement of financial assistance to State Biodiversity Boards/UT Biodiversity Councils.

Decision: *The Authority approved the proposal placed by the NBA Secretariat on the following:*

a.*The revised financial assistance for engaging outsourcing staff based on the number of BMCs as follows:*

Sl. No.	***Number of BMCs***	***Proposed Financial Assistance (₹ lakh / Financial year)***	***SBBs / UTBCs***
1	*Less than 1,000*	*14,00,000*	*1. Mizoram* *2. Goa* *3. Sikkim* *4. Ladakh* *5. A & N Islands* *6. Daman & Diu and Dadra & Nagar Haveli* *7. Puducherry* *8. Lakshadweep* *9. Chandigarh* *10. Delhi*
2	*1001 - 5,000*	*16,00,000*	*11. Jharkhand* *12. Jammu & Kashmir* *13. West Bengal* *14. Himachal Pradesh* *15. Assam* *16. Manipur* *17. Arunachal Pradesh* *18. Nagaland* *19. Tripura* *20. Kerala*
3	*5,001 – 10,000*	*18,00,000*	*21. Bihar* *22. Uttarakhand* *23. Odisha* *24. Karnataka* *25. Meghalaya* *26. Haryana*
4	*10,001 – 20,000*	*21,00,000*	*27. Gujarat* *28. Andhra Pradesh* *29. Tamil Nadu* *30. Punjab* *31. Telangana*

Sl. No.	Number of BMCs	Proposed Financial Assistance (₹ lakh / Financial year)	SBBs / UTBCs
			32. Chhattisgarh 33. Rajasthan
5	20,001 – 30,000	24,00,000	34. Maharashtra 35. Madhya Pradesh
6	Above 30,001	30,00,000	36. Uttar Pradesh

*b. Enhancement of financial assistance of **Rs 12,000/-per PBR** from Rs 10,000/- per PBR for updating the existing PBRs.*
*c. Enhancement of financial assistance of **Rs 12,00,000/- per SBB** from Rs 10,00,000/- per SBB for strengthening the BMCs.*
d. Enhancement of financial assistance upto Rs 10,00,000/- per SBB from Rs 5,00,000/- per SBB for Preparation / Revision of State Biodiversity Strategy and Action Plan (SBSAP)

Action: Member Secretary, NBA

79.06: Fixation of Threshold limit for Distribution of Biological Resources Accessed through Traders

The Member Secretary, NBA apprised the members that the 77th Authority meeting vide Agenda No. 77.03 approved the Report of the Expert Committee to devise modalities for utilisation of the ABS amount earmarked to the NBA in cases of access to biological resources from traders, institutions or intermediaries. The EC's report referred under, **Sl. No. 6 (1)** of "Modalities for Utilisation of the Access and Benefit Sharing Amount Earmarked to the National Biodiversity Authority in cases of Access to Biological Resources from Traders or Intermediaries and Institutions."

2. He mentioned that deliberations are required to determine the threshold for categorising biological resources as either "restricted to a few States/UTs" or "widely distributed" in the modalities approved for ABS disbursement in cases where biological resources are accessed through "TRADERS/INTERMEDIARIES".

3. In this regard, and to facilitate the ABS disbursals, the Member Secretary, NBA proposed the following with respect to the ABS wherein the biological resources are obtained through a TRADER/ INTERMEDIARIES:

a. A threshold of 10 States/UTs be adopted for determining whether a biological resource is "widely distributed" or "restricted to a few States/UTs". Therefore, in instances where a biological resource is distributed in 10 or less States/UTs, it may be considered as "restricted to a few States/UTs", and if a biological resource is distributed in more than 10 States/UTs it may be considered as "widely distributed".

b. Occurrence data be obtained from reliable Government sources such as the Botanical Survey of India (BSI), Zoological Survey of India (ZSI), Ministry of AYUSH/NMPB, or other governmental web-portals/databases; and

c. The modalities already recommended by the Expert Committee for "institutions" to be uniformly applied to cases involving "traders/intermediaries" for the purpose of determining the distribution of biological resources "restricted to a few States/UTs" or "widely available".

4. The members deliberated and agreed that the modalities for determining the distribution of biological resources "restricted to a few States/UTs" or "widely available" should be uniformly applied in cases of Access to Biological Resources from Traders or Intermediaries and Institutions. Further, the members also agreed to keep the threshold of 10 States/UTs be adopted for determining whether a biological resource is "widely distributed" or "restricted to a few States/UTs".

5. The Chairman, NBA informed the members that NBA Secretariat has disbursed a wide range of ABS amount to states ranging from crores to a very meagre amount to different SBBs. In this regard, he suggested that a limit may be kept for the distribution of the ABS amount to the benefit claimers. The members deliberated and came to a consensus that Rs 5,000/- may be kept as a threshold for disbursal i.e. the ABS amount more than Rs 5,000/- can be distributed to the benefit claimer/ SBBs/ UTBCs and the ABS amount less than Rs 5,000/- need not be distributed and be transferred to the NBF Admin fund.

Decision: *The Authority approved the proposal placed by the NBA Secretariat on the following:*

a. *A threshold of 10 States/UTs be adopted for determining whether a biological resource is "widely distributed" or "restricted to a few States/UTs".*

b. *The modalities already recommended by the Expert Committee for "institutions" to be uniformly applied to cases involving "traders/intermediaries" for the purpose of determining the distribution of biological resources "restricted to a few States/UTs" or "widely available".*

c. *The Authority members decided that a threshold of Rs 5,000/- shall be kept for the disbursal of the ABS amount to benefit claimer/ SBBs/ UTBCs.*

Action: Member Secretary, NBA

When the draft proceedings were circulated to all the members, the Member Secretary, Andhra Pradesh SBB *vide* email dated 28.09.2026 submitted his comments wherein he raised a concern on the disbursal of ABS amount (30 %) to the institutions where the institutions concerned have not provided the

records of source of origin as per the Expert Committee constituted for this purpose. In this regard, he mentioned that as per section 27(2) (c) (proviso) of the Act, when it is not possible to identify the area from where the biological resource or traditional knowledge associated thereto have been accessed, the funds shall be utilized for socio-economic development of the area where such biological resources occur. In this connection, he has requested for further deliberations in the forthcoming Authority meeting.

79.07: To consider Proposal made by IORA Ecological Solutions Pvt. Ltd. for development and pilot implementation of a Biodiversity Credit Framework in India and Signing of Memorandum of Understanding with National Biodiversity Authority

The Member Secretary, NBA explained to the members that the Iora Ecological Solutions Pvt. Ltd. (IORA) has proposed a project titled "Pilot Implementation of Biodiversity Credits in India", pursuant to informal discussions held at NBA, Chennai on 2 July 2026.

2. He mentioned that the project envisages development of a National Biodiversity Credit Framework through methodology development, stakeholder consultations, pilot implementation, and institutional and market development, in line with India's Updated NBSAP (2024-2030) and National Biodiversity Targets.

2. In order to carry forward the work, he mentioned that IORA has shared a draft MoU with NBA. The MoU envisage NBA's role limited to strategic guidance, nomination of a nodal officer, and co-convening a Technical Advisory Committee. IORA shall lead framework development, pilot implementation, and resource mobilisation. The MoU casts no financial liability on NBA, is non-binding, valid for 5 years, and terminable by either Party on 30 days' notice. Project outputs shall be jointly attributed to NBA and IORA.

3. The Member Secretary, NBA, informed the members that there is no set precedent of NBA signing an MoU with a private partner in this manner. However, he mentioned that, as per Section 8 of the Biological Diversity Act (Amendment) Act 2023, the NBA is a body corporate and can sign a MoU with a private partner.

4. The members agreed that the NBA has the power to sign a MoU with IORA. However, the members deliberated that the non-disclosure in the MoU should not be binding on NBA. Further, the members decided that Dr. Gouri Joshi, Non-official member and Dr.Amit Parikh, representative of DBT may scrutinize the MoU and provide their comments. The members mentioned that the draft MoU may be agreed upon subject to the comments of Dr.Gouri Joshi, Non-official member and Dr. Amit Parikh. In this regard, Dr. Gouri Joshi, Non-official members provided her comments vide email dated 18.09.2026 which is placed as Annexure II.

Decision: *The Authority approved the revised draft MoU with Iora Ecological Solutions Pvt. Ltd. (IORA) on the proposed project titled "Pilot Implementation of Biodiversity Credits in India" with the comments of Dr.Gouri Joshi, Non- official member.*

Action: Member Secretary, NBA

79.08: To consider the proposal for undertaking Outreach and Educational Activities on Biodiversity Conservation

The Member Secretary, NBA explained to the members that in accordance with Rule 11(l) and Rule 11(m) of the Biological Diversity Rules, 2024, the National Biodiversity Authority is empowered to undertake workshops, seminars and related activities and to create awareness and conduct training and capacity-building programmes, including for academic, scientific and research institutions.

2. In pursuance of the above mandate, the Member Secretary, NBA proposed to initiate "Outreach and Educational Activities" in educational institutions with the objective of inculcating awareness and understanding of biodiversity conservation and among students. The programme would seek to mainstream biodiversity conservation into educational activities and provide students with continued exposure to biodiversity-related developments at the local, national and global levels, including the Convention on Biological Diversity (CBD). The proposal is also consistent with the emphasis in the Rules on awareness, training and capacity building for academic institutions.

The proposed activities may include:

i. Awareness on biodiversity and its importance and India's biodiversity;

ii. Introduction to global environmental initiatives and the Convention on Biological Diversity;

iii. Student seminars and awareness programmes;

iv. Training and hands-on activities relating to biodiversity conservation;

v. "Know Your Biodiversity" activities covering plants, animals, insects, reptiles and other organisms in and around educational institutions;

vi. Bird walks and Tree walks;

vii. Student-led breakout sessions, roundtables, workshops and seminars; and

viii. Invited lectures/interactions with eminent experts and practitioners in biodiversity conservation.

3. In this regard, the Authority members deliberated and agreed that the NBA should initiate Outreach and Educational Activities, including development of an

appropriate implementation framework and modalities for its phased rollout in educational institutions.

Decision: *The Authority approved the NBA Secretariat's proposal to undertake Outreach and Educational Activities on Biodiversity Conservation.*

Action: Member Secretary, NBA

79.09: Access and Benefit Sharing amount released to the beneficiaries

The Member Secretary, NBA apprised the members that in accordance with Section 21 of the Biological Diversity Act, 2002 as amended in 2023 (BD Act) read with Rule 21 of Biological Diversity Rules, 2024 the National Biodiversity Authority has received Access and Benefit Sharing amount into the National Biodiversity Fund (NBF) upon execution of agreement with the applicants.

2 In this regard he explained that the NBA constituted an expert committee to devise modalities for utilisation of the ABS amount earmarked to the NBA in cases of access to biological resources from traders, institutions or intermediaries, in accordance with the Biological Diversity Act, 2002, the Biological Diversity Rules, 2024 and the ABS Regulations, 2025.

3 The Expert submitted its report and Authority approved in its 77th & 78th meeting. In addition, the 75th Authority vide agenda item no.75.08, also authorised the Chairperson, NBA, to distribute the ABS amount to the beneficiaries, as per Rule 21 of the BD Rules 2024.

4 The Member Secretary, NBA mentioned that based on the recommendations of the EC and the decision of the Authority (77th & 78th), the NBA released an ABS amount of Rs. 37.64 crore to twenty-eight (28) State Biodiversity Boards; seven (07) Union territory Biodiversity Councils and seven (07) Institutions, including the funds transferred to the NBF Admin A/c, during the period from 01st May 2026 to 07th August 2026 and the details are as follows:

Sl.no.	Name of the SBB and institutes	Amount released (in INR)
1.	Andhra Pradesh	79,79,145.00
2.	Arunachal Pradesh	6,68,680.00
3.	Assam	89,13,280.00
4.	Bihar	81,17,962.00
5.	Chhattisgarh	69,96,575.00
6.	Goa	38,559.00
7.	Gujarat	2,34,43,113.00
8.	Haryana	1,75,42,694.00

9.	Himachal Pradesh	4,81,641.00
10.	Jharkhand	96,68,847.00
11.	Karnataka	77,60,206.00
12.	Kerala	2,77,672.00
13.	Madhya Pradesh	3,01,33,452.00
14.	Maharashtra	2,84,92,836.00
15.	Manipur	7,85,140.00
16.	Meghalaya	3,62,742.00
17.	Mizoram	2,66,498.00
18.	Nagaland	5,62,479.00
19.	Odisha	1,10,43,074.00
20.	Punjab	62,28,185.00
21.	Rajasthan	6,88,09,550.00
22.	Sikkim	79,749.00
23.	Tamil Nadu	48,44,332.00
24.	Telangana	1,67,44,394.00
25.	Tripura	5,93,636.00
26.	Uttar Pradesh	3,17,23,597.00
27.	Uttarakhand	7,96,696.00
28.	West Bengal	2,19,27,261.00
29.	Andaman and Nicobar Islands	9,084.00
30.	Dadra & Nagar Haveli and Daman & Diu	20,764.00
31.	New Delhi UtBC	1,14,336.00
32.	Jammu & Kashmir	12,44,185.00
33.	Ladakh UtBC	12,978.00
34.	Lakshadweep	13.00
35.	Puducherry UTBC	25,521.00
36.	ICAR-National Bureau of Plant Genetic Resources (ICAR-NBPGR), New Delhi	5,18,724.00
37.	S M Sehgal Foundation, Hyderabad	47,025.00
38.	International Crops Research Institute for the Semi-Arid Tropics (ICRISAT), Hyderabad	5,36,085.00
39.	ICAR-National Bureau of Fish Genetic Resources (ICAR-NBFGR), Lucknow	14,250.00
40.	Govind Ballabh Pant University of Agriculture and Technology (GBPUAT), Uttarakhand	3,26,362.00
41.	M.S. Swaminathan Rice Research Station (MSSRRS), Moncompu, Kerala	2,008.00
42.	ICAR-Indian Institute of Rice Research (ICAR-IIRR), Hyderabad	2,43,53,227.00
43.	NBF Admin Account	3,39,52,401.00
	Total	**37,64,58,958.00**

Further, the members during the deliberations mentioned that the NBA Secretariat may develop success stories of Access and Benefit Sharing and in turn identify best State Biodiversity Boards/ Biodiversity Management Committees. In this

regard, the Chairman, NBA mentioned that the ABS amount is slowly getting percolated to the Biodiversity Management Committees and hence need time to develop such documents.

Decision: *The Authority considered and ratified the disbursement of Rs 37,64,58,958 to twenty- eight (28) State Biodiversity Boards; seven (07) Union territory Biodiversity Councils and seven (07) Institutions, including the funds transferred to the NBF Admin A/c, during the period from 01st May 2026 to 07th August 2026.*

Action: Member Secretary, NBA

79.10: Refund of Excess ABS Amount – Form-III Application No. INBA3202203984

The Member Secretary, NBA explained to the members that on 22.04.2026, the applicant of Form-III Application No. INBA3202203984, had remitted an Access and Benefit Sharing (ABS) amount of Rs. 2,06,853. It was observed that the applicant remitted the ABS payment at 1% instead of the prescribed 0.2 % for self-commercialisation as per the ABS agreement mutually agreed between NBA & applicant, resulting in an excess payment of ABS to the tune of Rs. 1,65,482/-.

2. Upon verification with the Form – III agreement and confirmation with the applicant, it was confirmed that applicant has paid excess payment of ABS to the tune of Rs. 1,65,482/-.

3. The ABS calculation pertaining to Form–III Application No. INBA3202203984 is as follows:

Heading	Amount/Percentage
ABS obligation fixed has per the agreement (INBA3202203984)	0.2%
Annual Ex-Gross Factory Sale as per status report	Rs. 2,06,85,316/-
ABS amount paid by the applicant	Rs. 2,06,853/- (1%)
Actual ABS obligation payable (0.2 % of ex-gross factory sale)	Rs. 41,370.6/- r/o Rs. 41,371/-
Excess ABS amount paid by the applicant	Rs. 1,65,482/-

4. In this regard, the Member Secretary, NBA explained that the NBA has refunded the excess payment of ABS to the tune of Rs. 1,65,482/- via Refund Order No. 4-43/2010-11/Accts/26-27/633, dated 14.07.2026 to the applicant. The members deliberated and agreed to the action taken by NBA.

Decision: *The Authority considered and ratified the refund of the excess ABS amount of Rs 1,65,482 to the applicant of Form-III Application No. INBA3202203984.*

Action: Member Secretary, NBA

79.11: Non-Disbursement of ABS Amount received pertaining to Patent Application Nos. 1114/DEL/2009 & 3718/DEL/2014

The Member Secretary, NBA explained to the members that a Form-III (IPR) applicant, remitted a consolidated Access and Benefit Sharing (ABS) amount of Rs. 1,23,619/- on 16.04.2026, for the FY 01.04.2024 to 31.03.2025. Subsequently, upon scrutiny, the applicant clarified that the ABS payment pertained to the three Patent Application Nos. 1114/DEL/2009, 3718/DEL/2014, and 1439/DEL/2008. However, only one Form–III (i.e. Application No. INBA3202001869) has been filed in respect of Patent Application No. 1439/DEL/2008, which the NBA gave approval to.

2. He mentioned that the applicant with respect to the Patent Application No. 1114/DEL/2009, being a person covered under Section 7 of the Biological Diversity Act, 2002, has obtained patents in India, China, the European Patent Office, and Africa without obtaining the prior approval [i.e. Form III] of the National Biodiversity Authority under Section 6 of the Biological Diversity Act, 2002.

3. Similarly, in respect of Patent Application No. 3718/DEL/2014, the applicant, being a person covered under Section 7 of the Biological Diversity Act, 2002, has obtained patents in India, China, the European Patent Office, Japan, and the United States of America without obtaining the prior approval of the National Biodiversity Authority under Section 6 of the Biological Diversity Act, 2002.

4. The Member Secretary, NBA informed the members that in view of the above, and as per the decision of the 73rd Authority meeting vide Agenda 73.07, the above patent application Nos. 1114/DEL/2009 and 3718/DEL/2014 shall be placed before the Adjudicating Officer [A.O.] for examination of the contravention under Sections 55 and 55A of the Biological Diversity (Amendment) Act, 2023. He also explained to the members that as the application has been referred to the Adjudicating Officer, the ABS amount pertaining to patent application nos. 1114/DEL/2009 & 3718/DEL/2014, shall be disbursed after the receipt of the orders received by the Adjudicating Officer.

5. In this regard, the members deliberated on the applications referred to the Adjudicating Officer and mentioned that the applicants whose applications have been placed before the AO should be informed accordingly. Chairman, NBA, mentioned that the contact details, including the email ID specifically assigned to the Adjudicating Officer, may be put up on the NBA website for the information of the applicants. Further, the members also deliberated that the list of applications that have been

referred to the Adjudicating Officer should also be put up on the website for transparency and further necessary action by the applicant if required.

Decision: *The Authority ratified the placing of the Form–III (i.e. Application No. INBA3202001869 along with the patent application Nos. 1114/DEL/2009 and 3718/DEL/2014 before the Adjudicating Officer.*

b. *The Authority members decided that the ABS amount pertaining to patent application nos. 1114/DEL/2009 & 3718/DEL/2014, shall be disbursed only after the receipt of the orders received by the Adjudicating Officer.*

c. *The Authority members decided that the NBA Secretariat shall inform the applicants whose applications have been placed before the Adjudicating Officer.*

d. *The Authority members decided that the NBA Secretariat shall add the contact details, including the email ID specifically assigned for the Adjudicating Officer, on the NBA Website. Further, the list of applications that have been referred to the Adjudicating Officer shall also be put up in the NBA website.*

Action: Member Secretary, NBA

79.12: To consider the reconstitution of the Expert Committee (EC) to suggest modifications to the existing notifications, to develop model guidelines for framing Rules by the State Government for the conservation and management of the Biodiversity Heritage Sites and other matters, and progress made so far.

The Member Secretary, NBA apprised the members that NBA reconstituted an Expert Committee to suggest modifications to the existing notifications, to develop model guidelines for framing Rules by the State Government for the conservation and management of the Biodiversity Heritage Sites and other matters, and progress made so far for a period of six months vide Office Order dated 17.03.2026, which was ratified by the Authority in its 78th Meeting (Agenda No. 78.05).

2. Subsequently, based on the recommendations of the Chairperson of the EC, the Terms of Reference under Para 4(a) were partially modified vide Office Order dated 11.06.2026 to align with the amended provisions of Section 37 of the Biological Diversity Act, 2002, as follows:

> "*To develop model guidelines for framing Rules by the State Government for notifying, conserving and managing the areas of biodiversity importance as Biodiversity Heritage Sites.*"

3. He informed the members that the EC has, so far, held five meetings on 29.05.2026, 10.06.2026, 24.06.2026, 13.07.2026 and 27.07.2026 for preparation of the Model Guidelines for declaration and management of BHS. Further, the EC examined the Terms of Reference, reviewed the existing legal framework governing BHS and identified the broad thematic areas to be covered in the Model Guidelines.

4. Pursuant to the decisions taken therein, the NBA Secretariat collected information from the SBBs, including details of notified BHS, their legal status, management plans and relevant notifications. Based on the information received, the Committee prepared the broad framework of the Model Guidelines covering the scope of notification, eligible categories of areas, governance and institutional arrangements, ownership and tenure, conservation and management measures, stakeholder consultation, funding mechanisms, documentation, monitoring and compliance.

5. The Member Secretary, NBA further informed the members that during the subsequent meetings, the Committee finalised the broad principles relating to the scope and objectives of the Model Guidelines, concept and definition of BHS, legal recognition, eligible categories of land and authorities competent to initiate proposals for notification. The Committee further examined provisions relating to stakeholder consultation, survey and documentation, the notification process, governance arrangements, preparation of management plans, rights of local communities, and institutional responsibilities. Thereafter, the draft Model Guidelines prepared by the EC, was circulated to all SBBs/UtBCs for obtaining their comments and suggestions.

6. He further mentioned that on 27.07.2026, NBA organized a consultation with the SBBs/UtBCs on EC developed draft guidelines. After detailed deliberations on this guideline, the EC requested the SBBs/UTBCs to provide their comments and views in writing. The Secretariat is compiling the comments received from the SBBs/UTBCs.

Decision: *a. The Authority members ratified the reconstitution of an Expert Committee to suggest modifications to the existing notifications, to develop model guidelines for framing Rules by the State Government for the conservation and management of the Biodiversity Heritage Sites and other matters, and progress made so far for a period of six months.*

b. *The members considered and ratified the partially modified Terms of Reference to align with the amended provisions of Section 37 of the Biological Diversity Act, 2002, which states as follows: "To develop model guidelines for framing Rules by the State Government for notifying, conserving and managing the areas of biodiversity importance as Biodiversity Heritage Sites."*

c. *The members noted the progress made by the Expert Committee on the development of the model guidelines for framing Rules by the State*

Government for the conservation and management of the Biodiversity Heritage Sites.

Action: Member Secretary, NBA

79.13: Extension of Tenure of the Expert Committee on Normally Traded as Commodities for Freshwater, Brackish Water and Marine Biological Resources

The Member Secretary, NBA informed the members that the Expert Committee on Normally Traded as Commodities (NTAC) for Freshwater, Brackish Water and Marine Biological Resources was constituted to identify and finalize biological resources and items derived therefrom for notification as Normally Traded as Commodities under Section 40 of the Biological Diversity Act, 2002 (as amended in 2023).

2. He further informed that the Committee has finalized the format for notification and recommended obtaining species lists from the concerned Ministries, Departments and State Governments. However, the process of examination and finalization of the biological resources proposed for notification is still under progress, as species lists have been received only from four States and the Marine Products Export Development Authority, while inputs from the remaining States and concerned agencies are awaited.

3. The Member Secretary, NBA then explained that the NBA has also reconstituted a broader Expert Committee on Normally Traded as Commodities (NTAC) covering all biological resources. As the recommendations of the broader Committee, particularly those relating to the proposed activities-based exemption under Section 40 of the Act, may have a bearing on the recommendations of the Expert Committee on Freshwater, Brackish Water and Marine Biological Resources, extension of its tenure was considered necessary to ensure consistency and harmonization in the notification process. Accordingly, NBA, vide Office Order dated 31.07.2026, extended the tenure of the Expert Committee up to 10 December 2026.

4. The members deliberated that the committee may have broader participation of different stakeholders as required. Further, during the deliberations on the broader Expert Committee on Normally Traded as Commodities (NTAC) covering all biological resources, a member suggested that reference strains of microorganisms may also be included in the list of NTAC as it would be helpful for scientists, researchers, etc. in accessing the reference strains for their research work.

Decision: *The Authority ratified the extension of the tenure of the Expert Committee on Normally Traded as Commodities (NTAC) for Freshwater,*

Brackish Water and Marine Biological Resources up to 10th December 2026.

Action: Member Secretary, NBA

79.14: To consider the procedure adopted by the NBA for distributing ABS related to crops

The Member Secretary, NBA explained to the members that an expert committee was constituted for devising modalities to share the benefit arising from the use of biological resources accessed from intermediaries (like market, trader, institutes). The same has been approved in the 77th and 78th Authority meeting.

2. He further explained that with regard to the crops / vegetables as concerned, NBA wrote to 100+ institutes from where companies accessed the biological resources for research and commercial use, seeking source of the biological resources passed on to the companies. In response, very few institutes have given the source of the biological resources. Others have informed that there are no records in the institute..

3. In the 78th Authority, it was decided to develop baseline data for distributing the ABS money. Accordingly, NBA sent a request to FRLHT, BSI, ICFRE and SBBs/UTBCs. In response, NBA have so far received information on the distribution of 419 plant biological resources from Botanical Survey of India and 13 SBBs and information on 196 plant species from ICFRE, FRLHT.

4. The Member Secretary, NBA then explained that in the case of rice, cotton, maize, wheat, mustard, vegetable crops, NBA obtained the area of cultivation statistics from the Ministry of Agriculture and Farmers Welfare and ABS has been disbursed to States / UTs where the cultivation is going on. Further, the EC in its report mentioned that if the biological resources are found in more than ten states, NBA may either share or retain the ABS amount. Whereas NBA disbursed to more than 10 States and UTs who are entitled. The members appreciated NBA's efforts in developing the modality for disbursing the ABS amount received for access to bioresources from traders/institutions.

Decision: *The Authority considered and ratified the decisions taken on the ABS disbursal to States / UTs based on the statistics obtained from the Ministry of Agriculture and Farmers Welfare.*

Action: Member Secretary, NBA

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

The Member Secretary informed that according to Regulation 13(3) of the Guidelines on Access to Biological Resources and associated knowledge and benefits

sharing Regulations, 2014, NBA has to accord approval within a period of 45 days for Form -B applications received from Indian researcher/ Government institution who intend to carry/ send the biological resources outside India to undertake basic research or carry out certain urgent studies to avert emergencies like epidemics, etc.

2. Under agenda item 32.06 of 32nd Authority meeting, it was decided as follows:

a) *The Chairman, NBA is authorized to accord approval or otherwise for Form-13 applications, without referring to the SBB and the EC on ABS.*

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

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

4. The Member Secretary informed that the NBA granted approval to two (02) applications under Form-13 between from 1st May 2026– 31st July, 2026. The members suggested that the names of the bioresources may also be included while providing the details of the Form-13 applications.

Decision: *The Authority considered and ratified the decisions taken on approval to two (**2**) applications of Form-13 (formerly Form B).*

Action: Member Secretary, NBA

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

In its 37th meeting held in March 2016 (agenda item 37.14.02), the Authority decided that Indian researchers/scientists should provide prior intimation to the NBA in the prescribed Form-C for deposition of microorganisms in another country's repository to claim a novel species for publication in journals. Accordingly, since 2016, NBA is receiving such forms from Indian scientist / researcher. Now, the Form-C is replaced with Form-E in the Biological Diversity (ABS) Regulations, 2025. As on date, NBA has received 346 intimations since March 2016 – 30th April 2026, and the same has been reported to the Authority from time to time. Since 01st May, 2026 to 31st July 2026 the Secretariat has received five **(05)** Form-E application.

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

Action: Member Secretary, NBA

79.17: To consider grant sanctioned towards Capacity Building programme for Kerala SBB and Puducherry UTBC

The Member Secretary, NBA informed the members that based on the proposal received from the Kerala SBB and with a view to enhancing the capacity and understanding of media stakeholders on issues relating to biodiversity conservation, climate change, governance and community participation, the NBA has sanctioned an amount of Rs. 5,28,500/- to the Kerala SBB for organising a "*Media Capacity Strengthening Workshop to Enhance Understanding of Biodiversity linked to Climate Change, Governance & Communities.*"

2. He further mentioned that NBA also received a proposal from the Association for Promoting Sustainability in Campuses and Communities (APSCC) for conducting a training and capacity building programme for BMC members in Puducherry. The proposal was forwarded to the Puducherry UtBC, which agreed to conduct the programme through APSCC. Accordingly, NBA, vide Sanction Order dated 09.03.2026, sanctioned Rs.3,40,000/- to Puducherry UtBC to conduct the programme through APSCC on the Biological Diversity Act, 2002 and its amendments, PBR, ABS, biodiversity conservation, and related subjects.

Decision: *The members ratified the decision taken by NBA on sanctioning Rs.3,40,000/- to Puducherry UtBC for conducting the programme through Association for Promoting Sustainability in Campuses and Communities (APSCC) on the Biological Diversity Act, 2002 and its amendments, PBR, ABS, biodiversity conservation and related subjects.*

Action: Member Secretary, NBA

79.18: To consider grant sanctioned to NIRDPR for capacity building programme for BMCs

The Member Secretary, NBA informed the members that, to strengthen implementation of the Biological Diversity (Amendment) Act, 2023, the Biological Diversity Rules, 2024, and ABS Regulations 2025, NBA has undertaken various capacity-building initiatives for different stakeholders. BMCs constituted at the local body level under the Act play a critical role in biodiversity conservation, sustainable use of biological resources and documentation of associated traditional knowledge.

2. He further informed that since 2017, NBA, in association with National Institute of Rural Development and Panchayati Raj (NIRDPR), has successfully conducted a series of capacity-building programmes for Master Trainers, representatives of Panchayati Raj Institutions (PRIs) and BMC members on biodiversity governance,

roles and responsibilities of BMCs and preparation of People's Biodiversity Registers (PBRs).

3. In this regard, Member Secretary, NBA mentioned that based on the proposal received from NIRD&PR, NBA, vide Sanction Order dated 25.02.2026, has sanctioned an amount of Rs.25,00,000/- to NIRD&PR for organizing one-day training programmes covering 500 BMC members in the States of Andhra Pradesh/Telangana, Karnataka, Kerala and Tamil Nadu as Phase-1. The training modules have been developed under this initiative for adoption and integration into the training programmes. The Phase-1 has been completed by covering 522 BMC members in the month of July 2026.

4. He also informed that based on the discussion held on 20.07.2026 with NIRDPR, it was decided to cover about 2,000 BMC members during the year 2026-27 in a phased manner. Accordingly, based on the proposal received from NIRDPR, an amount of Rs.37,50,000/- was sanctioned for implementation of the Phase-II capacity-building programme in six States, namely Maharashtra, Madhya Pradesh, Rajasthan, Odisha, Chhattisgarh and Uttar Pradesh, covering 750 BMC members at three locations in each State.

Decision: *The members ratified the decision taken by NBA on sanctioning Rs.37,50,000/- to NIRDPR for the implementation of the Phase-II capacity-building programme in six States, namely Maharashtra, Madhya Pradesh, Rajasthan, Odisha, Chhattisgarh and Uttar Pradesh, covering 750 BMC members at three locations in each State.*

Action: Member Secretary, NBA

79.19: To Consider the Decision on ABS Applications Dealt by the Secretariat

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

2. Accordingly, he mentioned that the NBA secretariat so far has cleared twenty-five **(25)** applications, agreement signed for twenty- two (**22**) applications and closed twenty- seven **(27)** applications in Form-I, III, IV, Form 1, 2, 3 ,5, 8 and 9 from 01st

May, 2026 – 31st July, 2026. Since the Biological Diversity (Amendment) Act, 2023 came into force on 1st April 2024, NBA has issued 2367 Certificates of Registration (CoR) to the old Form III and Form 8 applications. Accordingly, the NBA secretariat has issued **477** Certificates of Registration, from 01st May, 2026 – 31st July, 2026.

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

Action: Member Secretary, NBA

79.20: ABS amount collected from 01st May to 31st July 2026

The Member Secretary informed the members that in accordance with Section 21 of the BD Act 2002, the NBA received a sum of Rs. 3,40,90,838/- (Rupees Three Crore Forty Lakh Ninety Thousand Eight Hundred Thirty-Eight Only) as benefit-sharing component in the National Biodiversity Fund after execution of agreements in twenty-eight (28) applications.

Decision: *The Authority members noted the information.*

Action: Member-Secretary, NBA

79.21: Approved Budget Estimate for the year 2026 – 27

The Member Secretary apprised the members that the budget Estimate for the year 2026 - 27 for National Biodiversity Authority has been prepared and submitted for sanction to Ministry of Environment and Forest and Climate Change. The Ministry has accorded sanction to the tune of Rs.17.95 crores under Grants in Aid for NBA for the financial year 2026 - 27.

2. In this regard, as per the provisions contained in the Biological Diversity Rules,2024 under Clause 11(n) General Functions of the Authority, the Annual Budget Estimate has been prepared with head wise allocation of funds both for GIA-Salaries and GIA- General as approved by the Ministry for the financial year 2026 - 27 are as follows.

(i) GIA – Salary	–	Rs.5.00 Cr
(ii) GIA – General	-	Rs.11.95 Cr
(iii) GIA – General for EAP	-	Rs. 1.00 Cr
Total	-	**Rs.17.95 Crs**

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

Action: Member-Secretary, NBA

79.22: Update on the Development of E-PBR application

The Member Secretary, NBA mentioned that pursuant to the discussion made in the 77th Authority (under agenda 77.16), regarding the development and implementation of the E-PBR Portal, NBA vide letter dated 8th July 2026 has extended the timeline of the project to NIC till 30th September 2026 for completion of the project "Design and Development of National Platform e-PBR" on a no-cost extension basis.

2. He also informed that under the MoEFCC–NBA–GIZ supported project, the e-PBR project is being extended to two more states namely Uttar Pradesh and Rajasthan, in addition to the existing 12 pilot States (namely Andhra Pradesh, Goa, Gujarat, Himachal Pradesh, Karnataka, Kerala, Odisha, Sikkim, Tamil Nadu, Telangana, Tripura and West Bengal), thereby covering a total of 14 States. NBA conducted the orientation programme on 17th July 2026, where NIC gave a demo on Version 2.0 of the e-PBR to all 14 states. Based on the observations and feedback received from the State Biodiversity Boards (SBBs), NBA and NIC, further refinements and enhancements are being incorporated into the portal.

3. The Member Secretary, NBA apprised the members that the portal is fully functional, and the pilot States have uploaded details of approximately 55,000 BMCs and around 3,200 Traditional Knowledge records. Data population and validation are continuing in the pilot States. Since the portal is a dynamic national platform, periodic updates and modifications to its features and parameters will be required based on evolving statutory requirements and field-level implementation.

Decision: *The Authority members noted the information.*

Action: Member-Secretary, NBA

79.23: Update on the progress of the GIZ e-PBR Project

The Member Secretary, NBA apprised the members that pursuant to the Implementation Agreement signed on 18.09.2025 under the GIZ e-PBR Project, 14 States were identified for implementation of the project in the meeting held with MoEFCC, GIZ and NBA on 21.01.2026. Subsequently, letters were issued to the 14 SBBs on 27.04.2026 seeking confirmation for implementation of the GIZ e-PBR Project, and all the 14 SBBs have conveyed their confirmation.

2. He informed that the 14 SBBs were requested to furnish the existing PBR data in the prescribed format available with them. The State-wise information received from SBBs indicates that the PBRs are available in different formats, including Excel, Word, PDF/image/PDF, databases/in-house software portals and hard copies. The information also indicates that PBRs are available in different languages. In the project,

it is planned to involve various methodologies including the use of Artificial Intelligence to address these issues.

3. The Member Secretary further informed that the first meeting of the Project Steering Committee (PSC) was held on 07.07.2026 at New Delhi, where the 14 SBBs, NIC, NIRDPR and other concerned stakeholders attended the meeting. The major discussion included a cost-neutral extension for the e-PBR project until 30 September 2027. The signing of the supplementary agreement is under process.

Decision: *The Authority members noted the information.*

Action: Member-Secretary, NBA

79.24: Meetings of Expert Committee

The Member Secretary, NBA apprised the members the following:

A. Expert committee on Normally Traded as Commodities

The expert committee on Normally Traded as Commodities held its 6th meeting on 23.07.2026 through virtual mode under the Chairmanship of Shri A K Goyal, IFS (R), and Dr R.S.C. Jayaraj, IFS (R) as Co-Chair. During the meeting, it was decided to obtain details of medicinal plants (area of occurrence, yield, etc.) from NMPB and submit them to EC for further consideration.

B. Expert Committee on Agrobiodiversity

The 14th Meeting of reconstituted EC on Agrobiodiversity was held on 06.08.2026, under the chairmanship of Padma Shri Dr.P.L.Gautam, and Dr. T. Mohapatra, Chairman, PPVFRA. The committee were apprised of the previous meeting's decisions and actions taken by the NBA. During the meeting, it was decided to compile the previous works and joint publication on Agrobiodiversity hotspots by NBA and PPVFRA, breeding registration details may be used to update the PBRs, etc.

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

Action: Member-Secretary, NBA

79.25: Celebration of International Day for Biological Diversity

The Member Secretary, NBA explained to the members that the International Day for Biological Diversity (IDB) 2026 was celebrated on 22nd May 2026 at the Indian Institute of Forest Management (IIFM), Bhopal, Madhya Pradesh, under the aegis of the Ministry of Environment, Forest and Climate Change (MoEFCC), National Biodiversity Authority (NBA), International Big Cat Alliance (IBCA), and the Madhya Pradesh State Biodiversity Board. The theme for IDB 2026 was "Acting Locally for Global Impact", emphasizing the importance of local communities and grassroots

actions in achieving global biodiversity conservation goals. The Hon'ble Union Minister for Environment, Forest and Climate Change, Shri. Bhupender Yadav; Hon'ble Chief Minister, Government of Madhya Pradesh Dr. Mohan Yadav; Hon'ble Minister of State for Environment, Forest and Climate Change, Shri Kirti Vardhan Singh; and Hon'ble Minister of State of Forest and Environment, Shri Dileep Ahirwar graced the occasion.

2. He informed that the programme was attended by several dignitaries, senior officials of MoEFCC, NBA, IBCA, State Biodiversity Boards, researchers, students and representatives from various institutions. During the programme, various publications and digital initiatives were released / launched, including a customized MyStamp and Postal Cover on IDB 2026, India's Biodiversity Report 2026 (NR 7), India's Progress in Implementing ABS 2026 (NR 1), the ABS End-to-End Web Portal, a Brochure on Cheetah Conservation, and the Data-Driven Lab on Forestry Sustainability, Climate Change, Coastal and Marine Ecosystems at IIFM.

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

Action: Member-Secretary, NBA

79.26: Tenth Review Meeting with SBBs / UTBCs held on 17th July 2026

The Member Secretary, NBA informed the members that the 10th Review Meeting with the SBBs and UTBCs was held virtually on 17 July 2026 under the Chairmanship of the Shri. Virendra Tiwari, IFS (R), Chairperson, NBA, to review administrative, financial and statutory matters relating to implementation of the Biological Diversity Act, 2002.

2. He explained that the meeting reviewed the status of Grant-in-Aid and ABS fund utilization/disbursement, submission of UCs/SOEs and reports, notification of State/UT Biodiversity Rules, constitution of PBR Monitoring Committees, updation and digitization of PBRs, submission of baseline/resource mapping data, and uploading of cultivated medicinal plant and BMC/LBF account details in the ABS End-to-End Portal.

3. The Member Secretary, NBA also mentioned that the SBBs/UTBCs were advised to expedite compliance with the above action points. Particular emphasis was placed on submission of baseline data to facilitate disbursement of ABS funds and timely completion of pending financial and statutory compliances.

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

Action: Member-Secretary, NBA

79.27: Celebration of World Environment Day 2026

The Member Secretary, NBA informed the members that the World Environment Day (WED) 2026 was observed by the NBA on 5 June 2026 at its headquarters in Chennai under the global theme "Inspired by Nature. For Climate. For Our Future." The programme commenced with the plantation of saplings by the distinguished dignitaries and officials of NBA under the Government of India's "Ek Ped Maa Ke Naam" campaign, symbolising collective commitment towards biodiversity conservation and environmental sustainability.

2. He mentioned that Shri A. Udhayan, IFS, Chief Guest, highlighted the concept of "Frugal Abundance" and advocated responsible resource use. He also emphasised the potential of Preservation Benefit Sharing, Payment for Ecosystem Services and Easements as instruments for biodiversity conservation. Shri Anurag Mishra, IFS, Guest of Honour, highlighted Tamil Nadu's initiatives on forest and tree cover, wetlands and climate resilience, and encouraged sustainable practices such as renewable energy, electric mobility and energy efficiency.

3. The Member Secretary, NBA apprised the members that on this occasion, publication on "Looking at Digital Sequence Information through an Indian Lens", was released; the revamped official website of NBA was launched and the Voluntary Certification Scheme – Incentivisation for Access and Benefit Sharing (VCS-I-ABS) was unveiled.

4. He also informed that the SBBs/UTBCs and BMCs across the country also organised plantation drives, awareness programmes, cleanliness campaigns and community-level activities under the *"Ek Ped Maa Ke Naam"* campaign and Mission LiFE, with participation of local communities, students and other stakeholders.

Decision: *The Authority members noted the information.*

Action: Member-Secretary, NBA

79.28: Financial Assistance to State Biodiversity Boards for Preparation of State Biodiversity Strategy and Action Plans (SBSAPs)

The Member Secretary, NBA explained the members that as per the Kunming-Montreal Global Biodiversity Framework (KMGBF), the national and global biodiversity commitments have to be translated into State-level actions. In this regard, the preparation/revision of State Biodiversity Strategy and Action Plans (SBSAPs) is required.

2. He mentioned that the State Biodiversity Boards, being the nodal institutions at the State level for implementation of the Biological Diversity Act and related biodiversity programmes, have a key role in facilitating the preparation of State-specific

biodiversity strategies and action plans through consultation with relevant departments, local bodies, Biodiversity Management Committees (BMCs), research institutions, experts and local communities.

3. In view of the above, the Member Secretary, NBA mentioned that NBA and other agencies support the SBBs for the preparation of SBSAP. In this regard, he informed the members that as on date, Telangana, Uttarakhand, Kerala and Arunachal Pradesh have prepared their SBSAPs in alignment with India's updated NBSAP, and KMGBF. He also informed that the NBA supported the following SBBs.

Sl. no.	Name of the SBB	Amount sanctioned
1.	Telangana	12 lakhs (from ABS)
2.	Sikkim	10 Lakhs (GIA)
3.	Ladakh	5 Lakhs (GIA)

Decision: *The Authority members noted the information.*

Action: Member-Secretary, NBA

79.29: Confirmation of staff in the entry grade – Ms. Rambha Chaudhary, Technical Officer (IPR)

The Member Secretary, NBA apprised the members that Ms. Rambha Chaudhary, was appointed as Technical Officer- Intellectual Property Rights (IPR), Group 'B', Non-Gazetted in Pay Level 8 of Pay Matrix (47,600-1,51,100) against Direct Recruitment on 08.04.2024 in NBA. On completion of probation period, she has been confirmed the post of Technical Officer- Intellectual Property Rights (IPR) as per Office Memorandum No. F. No: NBA/2/47/A48/2026-27/488, dated 22.06.2026, with effect from 08.04.2026.

Decision: *The Authority members noted the information.*

Action: Member-Secretary, NBA

79.30: Biodiversity Matters -NBA Newsletter

The Member Secretary, NBA apprised the members that National Biodiversity Authority (NBA) launched *Biodiversity Matters*, its official newsletter, on 7 April 2026 to strengthen institutional communication, knowledge sharing and stakeholder engagement on biodiversity conservation and governance. The second issue was released on 25 July 2026 and provides a concise account of the NBA's major achievements, initiatives and activities.

2. He mentioned that the institutional milestones, including India's National Report on Biodiversity–2026, India's First National Report on the Nagoya Protocol, strengthening of the National Repository Network under Section 39 of the Biological Diversity Act, 2002, regulatory reforms under the Biological Diversity (Amendment) Act, 2023, and the Voluntary Certification Scheme for Incentivization of Access and Benefit Sharing (VCS-I-ABS) have been highlighted in the second issue of the newsletter. It also covers the 78th Authority Meeting, Expert Committee meetings on Invasive Alien Species and Biodiversity Heritage Sites, and the Marine Sector Workshop on ABS.

3. Further, he mentioned that the newsletter documents major commemorative and outreach activities, including the International Day for Biological Diversity, World Environment Day, along with key collaborative projects such as the GoI–UNDP–GEF-8 OECM Project and MoEFCC–NBA–GIZ Project.

4. In this regard, Chairman, NBA apprised the members that the 3rd issue of the newsletter will be release on 1st October 2026 on the occasion of NBA's 23rd Foundation Day. He further mentioned that the members can also contribute to the newsletter.

Decision: *The Authority members noted the information.*

Action: Member-Secretary, NBA

79.31: Update on the Capacity Building Programmes/ Conferences / Meetings organized by NBA

The Member Secretary informed the members that the following Workshop / training / capacity building programs were conducted by NBA to different stakeholders including BMCs on biodiversity governance:

Sl. no.	Date	Stakeholders to whom the workshop/training / capacity building programme conducted	Mode of workshop	Number of participants
1.	27.05.2026	State Forest Service Officer training on the provisions of BD Act	Physical	200
2.	22.06.2026	Herbalife-IIT Madras Centre of Excellence on Plant Cell Fermentation Technology — Inauguration; PANEL DISCUSSION: 2; Title: Regulatory Landscape for Fermentation-derived Herbal Products in India: Perspectives from Enablers and Engagers	Physical	150
3.	18.07.2026	Kalapvriksh's Webinar Series on Tracking the implementation of Kunming-Montreal Global Biodiversity Framework (KMGBF) in India	Online	40

		Panel discussion title: Securing Access to Biodiversity Funds for IPLCs for community conservation, sustainable use, and resource management'		
4.	19.05.2026 20.05.2026 22.05.2026	NIRDPR training to BMCs in Kerala	physical	522
5.	09.06.2026 10.06.2026 12.06.2026	NIRDPR training to BMCs in Karnataka	Physical	
6.	17.06.2026 18.06.2026 19.06.2026	NIRDPR training to BMCs in Andhra Pradesh/ Telangana	Physical	
7.	20.07.2026 29th & 30th July 2026	NIRDPR training to BMCs in Tamil Nadu	Physical	
			Total	**912**
***Note:** So far, after the amendment to the BD Act, Rules, Regulations, the NBA Secretariat has given awareness through workshop/training/capacity building programme to **3,764 participants.**				

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

Action: Member-Secretary, NBA

79.32: To consider the Techno -Legal and Administrative inputs offered by NBA to the MoEFCC on International Instruments including Multilateral/ Bilateral matters

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

Sl. No	Section	Particular	Details
1	Request for Mandate on TSD Negotiating Text (IN:CN CEPA)	Bilateral agreement between India and Canada	Inputs provided to the MoEFCC.
2	Inputs on MoUs	MoU in the field of Agriculture between India and Bangladesh	International Cooperation Division, MoEFCC, forwarded the MoU between India and Israel in the field of Fisheries and Aquaculture and sought inputs. It was observed that both countries are parties to the Convention on Biological Diversity (CBD) and, thereby, obligated

Sl. No	Section	Particular	Details
			to implement its provisions and a necessary compliance clause was added in Article-II. Hence Nil comments were sent to MoEFCC.
3	Expenditure Finance Committee	Draft PIB proposal for Development of National Waterway-5 (NW-5) from Talcher to Paradip/Dhamra (332 km) at an estimated cost of ₹13,847 crore	MoEFCC forwarded the draft Expenditure Finance Committee from time to time and sought inputs. Accordingly, NBA examined the EFC in the light of the Biological Diversity (Amendment) Act, Rules and Regulations and the Kunming-Montreal Global Biodiversity Framework and provided inputs to MoEFCC for further course of action.
		EFC Memorandum for "Establishment and Strengthening of NCDC Branches, Strengthening of National One Health Programmes for Integrated Surveillance and Public Health Preparedness, and National Programme on AMR Containment" – reg	
		DIB Memo for Development of Internal Flyovers in Visakhapatnam Port Area at an estimated cost of Rs. 334.89 Crores	
		EFC Memorandum for National Bioenergy Programme NBP) Phase-II-reg.	
4	Meeting notice for Exim Facilitation Committee (EFC) dated 09.07.2026	-	The Export Cell, Directorate General of Foreign Trade, Ministry of Commerce and Industry, organises Exim Facilitation Committee (EFC) meeting under the Chairmanship of Addl. Director General Foreign Trade every month vide hybrid mode. NBA provides inputs and participates in the meeting online every month.
5	WHO Pandemic Treaty	-	The text of the Pandemic Agreement attained consensus during the 78th WHA at WHO Headquarters, Geneva on

Sl. No	Section	Particular	Details
			20th May 2025 and the Intergovernmental Working Group (IGWG) was established in reference to Resolution WHA 78.1 adopted during the same session, to draft and negotiate the Annex to the WHO Pandemic Agreement described in Article 12 of the WHO Pandemic Agreement. The Ministry of Health and Family Welfare organised an inter-ministerial meeting in February. Member Secretary, NBA participated in the meeting provide inputs. Further WHO secretariat conducted 7th Inter-governmental working group held in hybrid format from 6 to 17 July 2026, IGWG-7 meeting were participated online by Member Secretary, NBA.
6	13th session of ITWG on PGRFA scheduled to be held on 8-10 July, 2026	-	Inputs were provided to MOEFCC on agenda items of the 13th session of ITWG on PGRFA
7	1st meeting of National Advisory Board on Management of Genetic Resources (NABMGR) held on 29.07.2026	-	Chairperson, NBA was nominated as a member in National Advisory Board on Management of Genetic Resources (NABMGR) reconstituted by Director (Crop Science). The Board is headed by Dr R.S. Paroda, Former Secretary, DARE & Director General, ICAR, who will serve as Chair and Secretary, DARE & Director General, ICAR, who will serve as Co-Chair. The first meeting was held on 29.07.2026, wherein the Chairperson, NBA, participated in the meeting.

Decision: *The members noted the information provided in this regard*

Action: Member-Secretary, NBA

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79.33: Violation cases submitted before the Adjudicating Officer for determination of penalties

The Member Secretary explained that the Ministry of Environment, Forests, and Climate Change (MoEFCC) issued an Office Memorandum (OM) on 10.09.2018 directing the NBA to take decision thereon within a period of 100 days from the date of issuance of this OM, including course of action for matters related to past with an objective to provide an opportunity to all such entities that are required to obtain prior approval of the Authority for undertaking activities as specified in Sections 3, 4, and 6 of the Act, including cases that may be related to the past, in line with the objectives of the Act and regulate them in a manner that enhances implementation of the Act. A subsequent OM was issued on 18.03.2019 directing the NBA to accept and consider within a period of another 60 days from the date of issuance of this OM, all such cases where prior approval was required but not obtained, on the basis of merit ensuring that only those cases are granted approval which would have otherwise been approved in the normal course, had the person/entity concerned applied in time for prior approval. In this regard, many applications were considered and processed further under the aforesaid OM.

2. He mentioned that some of these O.M. applications are yet to be signed by the applicants, despite several reminders and notices issued by the NBA. These applications were presented before the Authority meeting on December 1-2, 2023, and were kept in abeyance due to the Authority's decision, since the Biological Diversity (Amendment) Act, 2023 had yet to come into force.

3. Member Secretary further informed that after the amendment came into force on 01.04.2024, legal opinion was sought from Additional Solicitor General (ASG), Madras High Court, on contravention applications under the office Memorandums issued by MoEFCC and applications kept in abeyance for the enforcement of the Biological Diversity (Amendment) Act, 2023 to be dealt by NBA.

4. He then apprised the members that when there is any contravention of the provisions of Section 3 or 4 or 6 or 7 by any person covered under Section 3 (Non–Indians) or 7(Indians), the penalty shall be decided by the Adjudicating Officer appointed under Section 55A as per the manner prescribed under Section 55A and Rule 23. As per the ASG's advice, the violation cases were forwarded to the AO.

5. In this regard, he mentioned that 286 pre-amendment cases (Form I-119; Form II-6; Form III- 158 and Form IV-3) were referred to the Adjudicating Officer for determination of penalties. Similarly, 67 post-amendment cases (Form 1-30; Form 2-1; Form 3-18; Form 7- 3; Form 8-14 and Miscellaneous-1) have also been referred to the Adjudicating Officer for determination of penalties. The members deliberated on the list of cases and noted the information provided.

Decision: *The Authority members noted the 286 pre-amendment cases (Form I-119; Form II-6; Form III- 158 and Form IV-3) and, 67 post-amendment cases Form 1-30; Form 2- 1; Form 3-18; Form 7- 3; Form 8-14 and Miscellaneous-1) referred to the Adjudicating Officer for determination of penalties.*

Action: Member Secretary, NBA

79.34: Enhancing Transparency and Public Awareness: Disclosure of ABS Fund Releases through Press Information Bureau (PIB) and Social Media Platforms

The Member Secretary explained to the members that, to have public outreach and create awareness of the ABS framework, NBA publishes the ABS amount released to the beneficiaries and other important information on the Press Information Bureau (PIB) and NBA social media accounts from time to time and showed the number of viewers for each article. He further mentioned that this press information has also been published in e-newspapers/journals, etc. He also highlighted that there is a rapid increase in the total number of viewers between this Authority and the previous, with an increase of about 46,429 viewers/likes count.

2. The Authority members appreciated the efforts taken by NBA in this regard

Decision: *The Authority members noted the information provided by the NBA Secretariat on the awareness creation of the ABS framework.*

Action: Member Secretary, NBA

79.35: Any other items with the permission of the Chair

79.35.1: Request made by M/s. LVMH Recherche, France to amend the Clauses 3.2 and 7.2 of the ABS agreement for granting approval for access to biological resource for research

The Member Secretary, NBA informed the members that an applicant M/s. LVMH Recherche, France has submitted an application seeking approval of the NBA for accessing 19 kg of Noble Dendrobium (Dendrobium nobile Lindl.), which is to be collected from Lower Gumpa Ghurpesay, Sikkim, for research purposes, *i.e screening of extraction technologies for development of a cosmetic ingredient*. The projected requirement of 450 kg per year from 2030 relates to the anticipated full-scale production stage and is not part of the quantity presently proposed for approval, particularly for screening different extraction technologies for development of a cosmetic ingredient.

2. He further mentioned that as the applicant has furnished all documents and information, NBA vide email dt. 02.05.2025 forwarded the draft agreement to the applicant for execution, subject to upfront payment of Rs 35,000/- and submission of the duly signed agreement to NBA for granting approval.

3. The Member Secretary, NBA informed that subsequently, the applicant, vide email dated 22.07.2025, proposed certain modifications to the clauses and requested a revised upfront payment (Rs 42,000). Further, the applicant sought a research period of six years and proposed increasing the quantity of biological resources to be accessed.

4 He also further informed that subsequently the applicant's agent, vide email, forwarded the resolution passed by the Namchi BMC regarding the collection fee and requested certain modifications to Clauses 3.2 and 7.2 of the Agreement, as detailed below, along with the views of the NBA Secretariat.

5. In this regard, the members deliberated on two important issues viz. the access of large quantity of Noble Dendrobium (19kg) and the clause modification in the agreement.

a. Dr Joykumar Laishram, Non-official member, mentioned that this particular species is being accessed largely from Assam, Tripura, Arunachal Pradesh, etc., and extensive research has been carried out in India. To this, the members deliberated that NBA may request the concerned State Biodiversity Board and the Chief Wildlife Warden regarding the availability of this particular species in Sikkim. Further, the applicant may be requested to clarify whether the orchid will be accessed from the wild or a cultivated source.

b. The members deliberated on the clause modifications requested by the applicant and Dr Gouri Joshi, non-official member, agreed to scrutinize the clauses. She has further provided her comments vide email dated 03.09.2026, which is as follows:

Clause number	**Original clause of the Agreement**	**Modification proposed by the Applicants' agent**	**Comments of Dr. Gouri Joshi**
3.2	The Applicant shall also pay such sum, if any, as levied by the Biodiversity Management Committee(s) for accessing or collecting the approved quantity of biological resources from its/ their concerned jurisdiction(s).	The applicant shall pay the access fee as levied by the Biodiversity Management Committee (BMC) connected with the collection site defined in this agreement – in line with the resolution annexed to this agreement (***Annexure-C)*** This levy is in addition to the upfront payment as set out in ***Annexure-A***.	The applicant shall pay the accession fee as levied by the Biodiversity Management Committee (BMC) connected with the collection site defined in this agreement – in line with the resolution annexed to this agreement **(Annexure – C), subject to the collection site being strictly situated within the jurisdiction of the said/ only BMC.** This levy is in addition to the upfront

Clause number	Original clause of the Agreement	Modification proposed by the Applicants' agent	Comments of Dr. Gouri Joshi
			payment as set out in **Annexure – A** **Justification:** As has been highlighted above and mentioned in red colour, NBA may add the proviso to their suggested clause and can resend them. This will give other BMCs the liberty to claim the collection/ accession fees in case the company starts collecting biological resources from any other jurisdiction than mentioned in the Annexure - C. Otherwise, also, to the best of my legal notions, merely because NBA agrees that only a specific BMC can levy collection charges on the bio-resource, in MAT, it will not vitiate the right of the other BMCs under Sec 41 (3) to claim if the Company is collecting bio-resource from their jurisdiction.
7.2	During the subsistence of this Agreement, the Applicant shall have an option to initiate termination of this Agreement by sending a request to NBA in the form of a notice stating valid reasons for the same. On receipt of the same, it shall be the discretion of NBA to accept the reasons specified by the Applicant or not. In the event of its decision to terminate, NBA shall intimate to the	During the subsistence of this agreement, the applicant shall have the option to initiate the termination of the same by sending a written notice with acknowledgement receipt to NBA assigning the reason thereto. NBA shall examine the same and agree to terminate the agreement amicably and subject to any other mutually agreeable terms if deemed necessary within 90 days. On receipt of a written termination note from the NBA, the applicant shall comply	During the subsistence of this agreement, the applicant shall have the option to initiate the termination of the same by sending a written notice with acknowledgement receipt to NBA assigning the reason thereto. NBA shall examine the same and **may** agree to terminate the agreement amicably and subject to any other mutually agreeable terms if deemed necessary, within 90 days. On receipt of a written termination note from the NBA, the Applicant shall comply with the requirements under Clause 7.3

Clause number	Original clause of the Agreement	Modification proposed by the Applicants' agent	Comments of Dr. Gouri Joshi
	applicant by way of a notice within 90 days of making the decision. On receipt of such a notice from NBA, the applicant shall comply with clause 7.3	with the requirements under clause 7.3.	**Justification** **a.** With respect to the 'verbatim of the Clause, as has been requested by the respective Company, we may just add the term 'and may agree'.... with the clause as given in red above, which will keep the discretion of NBA alive. **b.** Otherwise, as has been pointed out by the NBA team, the clause can, prima facie, indicate that the termination shall be materialised with the notice from the Company and merely the terms of the termination may be mutually decided. Insertion of the term MAY would retain the discretion of the NBA alive while accepting their verbatim. **c.** Clause 7.4 gives the NBA an additional power to terminate the agreement even without getting any notice from the said Company, if there is a violation of Rule 15.

***Decision**: **A**. The Authority members directed the NBA Secretariat to take the following action:*

(i) Request the concerned State Biodiversity Board and to the Chief Wildlife Warden regarding the availability of Noble Dendrobium (Dendrobium nobile Lindl.) in Sikkim.

(ii) Clarification may be sought from the applicant on the source (wild/cultivated) of the orchid Dendrobium nobile Lindl.

***B**. The Authority members decided that the agreement clauses shall be modified as follows:*

*(i) **Clause 3.2:** The applicant shall pay the accession fee as levied by the Biodiversity Management Committee (BMC) connected with the collection site defined in this agreement – in line with the resolution annexed to this agreement (Annexure – C), **subject to the collection site being strictly situated within the jurisdiction of the said/ only***

BMC. *This levy is in addition to the upfront payment as set out in Annexure – A.*

(ii) ***Clause 7.2:*** *During the subsistence of this agreement, the applicant shall have the option to initiate the termination of the same by sending a written notice with acknowledgement receipt to NBA assigning the reason thereto. NBA shall examine the same and* ***may*** *agree to terminate the agreement amicably, subject to any other mutually agreeable terms, if deemed necessary, within 90 days. On receipt of a written termination note from the NBA, the Applicant shall comply with the requirements under Clause 7.3*

Action: Member Secretary, NBA

79.35.2 To consider the request of M/s Procter & Gamble for withdrawal of Form-III Application No. 3225.

The Member Secretary, NBA informed the members that M/s Procter & Gamble, an entity covered under Section 3(2) of the Biological Diversity Act, 2002, filed a Form-III Application No. 3225 on 18.10.2019 obtaining IPR (Indian Patent Application No. 2776/DELNP/2015), relating to the invention titled "Psyllium husk fumigated with methyl bromide." The biological resource involved is Psyllium husk (Plantago ovata), commercially procured from M/s Jyotindra International, Gujarat.

2. He further mentioned that the applicant has contended that Psyllium husk is a Normally Traded as Commodity (NTAC), that the invention concerns only a fumigation process for food safety, and that no research, genetic modification, associated traditional knowledge or utilisation of the biological properties of the resource was involved. The applicant has therefore requested withdrawal/disposal of the Form-III application as infructuous.

3. In this regard, he mentioned that the matter was considered by the 58th Expert Committee on ABS held on 16–17 July 2019. The Committee observed that the applicant had accessed an Indian biological resource and obtained/granted patents in several jurisdictions without prior approval under Section 6 of the Biological Diversity Act, 2002. It recommended consideration of the application subject to submission of Form-I and payment of benefit-sharing, including:

- 1% of the annual gross ex-factory sale, excluding government taxes, upon commercialisation; and
- 5% of the licence/assignment fee and 5% of the annual royalty received in case of assignment or licensing.

4. The Member Secretary further mentioned that the applicant requested for an opportunity of being heard and a meeting was conducted by the NBA. After the meeting held on 04.04.2022, the applicant was informed that submission of Form-I

was not required as the process involved was fumigation. However, withdrawal of Form-III was not agreed to, as the application had already been processed under the O.M.

5. He then informed the members that the applicant subsequently submitted affidavits stating that the invention had not been commercialised and that no profits had accrued. The applicant again requested withdrawal/disposal of Form-III Application No. 3225, stating that the concerned patent applications had been withdrawn, abandoned or had lapsed. The applicant also sought reaffirmation of the waiver of Form-I and clarification regarding applicability of the Biological Diversity Act.

6. In this regard, the Member Secretary, NBA informed the members that a meeting was held on 25.08.2026, during which the applicant reiterated its earlier submissions that the invention relates only to a fumigation process for psyllium husk using methyl bromide to eliminate insect infestation and does not involve any research or invention on the biological resource itself.

7. Further, the members deliberated on the use of methyl bromide and its harmfulness. The members also deliberated on the restricted use of methyl bromide in India. However, based on the facts provided by the Member Secretary, NBA, the members agreed that the Form-III Application No. 3225 application may be withdrawn by the applicant. In this regard, the members opined that a disclaimer may be developed by the NBA Secretariat to be included in the communication to the applicant.

8. As per the directions, the NBA Secretariat developed the disclaimer as follows:

Disclaimer

In respect of this present Form-III Application No. 3225 of M/s Procter & Gamble Company (P&G), as stated by the applicant, the invention titled "Psyllium husk fumigated with methyl bromide" relates to a fumigation process, wherein Psyllium husk (Plantago ovata), an Indian biological resource, was used as the material subjected to testing/fumigation and the invention relates only to a process of fumigating Psyllium husk with methyl bromide for eliminating insect infestation and does not involve research or invention on the biological resource itself.

2. Taking note of the affidavit dated 21.04.2023 wherein the applicant has submitted that the invention was never commercialised and that no profits accrued therefrom. Also, the relevant patent applications have been withdrawn, abandoned or have lapsed, including Indian Patent Application No. 2776/DELNP/2015, the request of M/s Procter & Gamble Company (P&G) for withdrawal of Form-III Application No. 3225 is hereby allowed.

3. The withdrawal request is accepted based on the facts and circumstances of this Present Application. The Authority will decide on a case-by-case basis, and hence, this may not be taken as a precedent for any other applications made earlier or in future.

4. In case of commercialization or obtaining IPR in future, or involved in further research using the Biological resource or transfer or results of research, prior approval of the NBA is required as per Section 3, 4 and 6 of the BD Act, 2002 (as amended). Further, if any contravention of the provisions of the Biological Diversity Act, 2002, (as amended), is noticed subsequently, the NBA reserves the right to take appropriate action as may be deemed fit in accordance with the provisions of the Act and the rules made thereunder.

Decision: A. *The Authority members considered and decided that the Form-III Application No. 3225 of M/s Procter & Gamble Company (P&G) for the invention titled "Psyllium husk fumigated with methyl bromide" shall be withdrawn subject to the disclaimer as follows:*

a. Psyllium husk (Plantago ovata), an Indian biological resource, was used as the material subjected to testing/fumigation and the invention relates only to a process of fumigating Psyllium husk with methyl bromide for eliminating insect infestation and does not involve research or invention on the biological resource itself.

b. The invention was never commercialised and that no profits accrued therefrom.

c. The Authority will decide on case by case basis and hence, this may not be taken upon as precedent for any other applications made earlier or in future.

Action: Member Secretary, NBA

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

Annexure I

List of Members present

1. **Shri Virendra R Tiwari, IFS (Retd.)** Chairperson, National Biodiversity Authority, Chennai E-mail: chairman@nba.nic.in

2. **Dr. Koustubha Upadhyaya**, Advisor (Ayurveda) Ministry of Ayush, New Delhi E-mail: adviser-ayush@gov.in

3. **Dr. D.K. Yadav**, Deputy Director General (Crop Science), Division of Crop Science, Krishi Bhavan, New Delhi – 110001 Email: ddgcs.icar@nic.in

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

5. **Dr. Modhumita Dasgupta**, Scientist-G, ICFRE-Institute of Forest Genetics and Tree Breeding, Coimbatore E-mail: ghoshm@icfre.org

6. **Dr Amit P. Parikh**, Scientist F, Department of Biotechnology, Ministry of Science and Technology, New Delhi Email: amit.parikh@nic.in

7. **Smt Alka Tewari**, Director (Seeds), Ministry of Agriculture and Farmers Welfare, Krishi Bhawan, New Delhi – 110001. Email: alka.tewari@gov.in

8. **Dr. B. Balaji, IFS,** Member Secretary, NBA, 5th Floor, TICEL Bio Park, CSIR Road, Taramani, Chennai - 600 113 Email: secretary@nba.nic.in

Member Secretaries, SBBs

8. **Shri Sudeep Singh, IFS,** Member Secretary, Madhya Pradesh Biodiversity Board, Wan Bhawan, Bhopal. E-mail: mpsbb@mp.gov.in

9.**Shri P. Ramakrishna, IFS.,** CCF & Member Secretary, Andhra Pradesh Biodiversity Board, Guntur District, Andhra Pradesh E-mail:apsbiodiversityboard@gmail.com

10. **Dr. Nihar Ranjan Nayak,** Senior Scientist, Odisha Biodiversity Board,Regional Plant Resource Centre Campus, Nayapalli, Bhubaneswar. E-mail: msobb@rediffmail.com

Non official members

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

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

13. **Dr. Aditya Kumar Joshi,** Ex-PCCF, Manipur, House No. 6, Armadale Compound, Mallital, Nainital, Uttrakhand Email: adityaj0185@gmail.com; adityajifs@gmail.com

14. **Dr. Alka Rao,** Director, CSIR Institute of Microbial Technology, Chandigarh-160036 Email: raoalka@imtech.res.in; rao.alka@csir.res.in

15.**Dr. Gouri Joshi,** 401, Balwant ashram, Behind Nirmiti Elite, Law College Road, Erandwane, Pune, Maharashta - 41 1004. Email: Bonjaee.envirolegal@gmail.com; bonjaee@gmail.com