

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the English translation of the following notification for general information.

Government of Uttarakhand

Forest and Environment Section-3

No. 12 /X-3-17-08(83)/2001

Dehradun, Dated : 04 January, 2017

Notification

In exercise of the powers conferred under Sec. 63 of the Biological Diversity Act, 2002 (Central Act No. 18 of 2003), the Governor hereby makes following rules for the implementation of the Act in the State, namely:-

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|------------------------------|----|---|
| Short title and Commencement | 1. | (1) These rules shall be called "Uttarakhand Biological Diversity Rules, 2015".
(2) It shall come into force at once. |
| Definitions | 2. | In these rules, unless the context otherwise requires-
(a) "Act" means the Biological Diversity Act, 2002 (Central Act No. 18 of 2003);
(b) "Board" means Uttarakhand Biodiversity Board established under sub section (1) of section 22 of the act;
(c) "State Government" means the Government of Uttarakhand;
(d) "Biodiversity Management Committee" means Committee established by the local body under sub-section (1) of Section 41 of the act;
(e) "Chairperson" means the chairperson of Uttarakhand Biodiversity Board or Biodiversity Management Committee, as the case may be;
(f) "Fee" means any fee stipulated under these rules as provided under sub-section 3 of section 41 of the act;
(g) "Form" means the form appended to these rules;
(h) "Member" means a member of the State Biodiversity Board or of a Biodiversity Management Committee, or that of a committee constituted by the Board as the case may be;
(i) "Section" means section of the act;
(j) "Member-Secretary" means the Member Secretary of the Board;
(k) Words and expressions used but not defined in these rules but defined in the act shall have the same meaning respectively assigned to them in the act. |
| Manner of | 3. | (1) The appointment on the post of Chairperson of the Board, by the State |

**selection and
appointment of
the
Chairperson**

Government shall be from such eminent person having knowledge and experience in the subject of conservation & sustainable use of biological diversity and in the matters relating to equitable sharing of benefits –

- (a) who is serving on the post not lower than that of Joint Secretary or its equivalent under Government of India or has retired from such post and having minimum experience of 25 years on the subject as mentioned in sub-rule (1), or
- (b) having not more than 62 years of age and a minimum experience of 25 years in the subject of conservation & sustainable use of Biodiversity and equitable sharing of its benefits, be made.

(2) State Government may constitute the following Selection committee for selection of Chairman –

- | | |
|---|------------|
| (i) Chief Secretary | - Chairman |
| (ii) Principal Secretary/ Secretary, Forest | - Member |
| (iii) Principal Chief Conservator of Forests, Uttarakhand | - Member |
| (iv) Principal Secretary, Personnel | - Member |
| (v) Director General, Indian Council, of Forestry, Research and Education or his representative | - Member |

Provided that the applicant himself shall not be the member of the selection committee and if that be the case, the nomination may be made by Chief Secretary, Government of Uttarakhand.

(3) Three months prior to the occurrence of vacancy of Chairman, a list of 05 suitable and interested candidates shall be prepared and sent to the selection committee by the following search committee, -

- | | |
|---|------------|
| (i) Principal Secretary/Secretary, Forest | - Chairman |
| (ii) Sitting Chairperson, Uttarakhand Biodiversity Board | - Member |
| (iii) Principal Chief Conservator of Forests(Wildlife), Uttarakhand | - Member |

Provided that the applicant himself shall not be the member of the Search Committee and if that be the case, the nomination may be made by the State Government.

(4) The candidate selected by the selection committee shall be appointed as the Chairperson by State Government.

(5) For the purpose of execution of all work related to Selection Committee & Search Committee, Additional Secretary, Forest shall act as Member Secretary but shall not have the right to vote.

**Term of Office
of Chairperson**

4. (1) The Chairperson of the Board shall hold the office for a term of 03 years from the date of taking over the charge and shall be eligible for re-appointment.
- (2) The term of office of Chairperson, if appointed prior to retirement from service, shall be of 03 years but if appointed after retirement, shall be till the age of 65

years or completing the tenure of 03 years, whichever is earlier.

- | | | |
|---|----|---|
| Pay and Allowances of Chairperson | 5. | <ul style="list-style-type: none">(3) The Chairperson may resign from his office by giving at least one month prior written notice to the State Government.(1) Serving Government servant, if appointed as Chairperson under rule 3(1)(a), shall be entitled to the same salary and other allowances as otherwise would have been admissible to him.(2) Retired Government servant, if appointed as Chairperson under rule 3(1)(a), shall be fixed after considering the salary and other allowances drawn on the date of retirement and also the prevailing rules of the State Government.(3) The Chairman, appointed from the source other than from the serving or the retired Government servants, shall draw such salary and other allowances as may be determined by the State Government from time to time. |
| Office term and Allowances of Expert Members | 6. | <ul style="list-style-type: none">(1) The Expert member shall hold the post for a maximum of three years at a time from the date of nomination.(2) The expert member shall be entitled to such sitting allowance, travelling expenses, daily allowance and other allowances as may be fixed by the Board from time to time. |
| Filling up of vacancies arising from the resignation of expert members | 7. | <ul style="list-style-type: none">(1) The State Government shall appoint 05 expert members in the Board. Any expert member of the Board may resign from his post any time, by giving in writing addressed to the State Government under his signature and the seat of that member of the Board shall fall vacant from the date of his resignation.(2) A casual vacancy of expert member in the Board shall be filled up by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term in whose place he was nominated |
| Member-Secretary of the Board and Appointment of ex-officio members | 8. | <ul style="list-style-type: none">(1) The appointment of Member-Secretary of the Board shall be made on deputation by the State Government from amongst such suitable serving Government officials having knowledge and experience in the subject of conservation & sustainable use of biological diversity and holding post not below the rank of Conservator of Forests or equivalent pay scale/grade pay.(2) Four ex-officio members of the Board shall be appointed by the State Government from different departments such as Forests, Environment, Agriculture, Animal Husbandry, Horticulture, Bio-technology etc. |
| Functions of Member-Secretary of the Board | 9. | <ul style="list-style-type: none">(1) The Member-Secretary shall act as Head of the Office for day to day administration, management of funds and implementation of various activities of the programmes under the guidance of the Chairperson of the Board.(2) All orders or instructions issued by the Chairperson shall be under the signature of the Member-Secretary or of any other officer authorized in this behalf by the Board.(3) The Member-Secretary or an officer duly authorized by the Chairperson may sanction and disburse all payments against the approved budget.(4) The Member-Secretary shall be responsible for the safe custody of all |

documents including confidential papers of the Board and he shall produce such papers whenever directed by the Board/State Government.

(5) The Member-Secretary shall write and maintain confidential reports of all the officers and staff of the Board and shall get them countersigned by the Chairperson.

(6) The Member-Secretary shall perform such other functions as may be assigned to him by the Chairperson/Board/State Government from time to time.

Head quarter of the Board

10. Head quarter of the Board shall be at Dehradun

Meetings of the Board

11. (1) The meetings of the Board shall be normally held once in every three months at the Head quarter of the Board or at such place, as may be decided by the Chairperson.

(2) The Chairperson shall, upon a written request from not less than six members of the Board or upon a direction of the Authority/State/Central Government, may call a special meeting of the Board.

(3) The members shall be given at least fifteen days advance notice for holding an ordinary meeting and at least three days advance notice for holding a special meeting specifying the purpose, time and place at which such meeting is to be held.

(4) Every meeting shall be presided over by the Chairperson of the Board and in his absence, by a presiding officer to be elected by the members present from amongst themselves.

(5) The decision of the Board at a meeting shall, if necessary, be taken by a simple majority of the members present and voting. The Chairperson or in his absence, the member presiding, shall have a second or casting vote.

(6) Each member shall have one vote.

(7) The quorum at every meeting of the Board shall be five.

(8) No Member shall be entitled to bring forward, for the consideration of meeting, any matter of which he has not given ten days' notice unless the Chairperson in his discretion permits him to do so.

(9) Notice of the meeting may be given to the Members by delivering the same by messenger or sending it by registered post to his last known place of residence or business or in such other manner as the Member-Secretary of the Board may, in the circumstances of the case, think fit.

(10) In addition, the Board may stipulate such procedure for conduct of business, as it may deem fit and proper.

General functions of the Board

12. In particular and without prejudice to the generality of other provisions, the following functions may be performed by the Board:-

(1) To lay down the procedure and guidelines to govern the activities provided

under sections 23 of the Act;

- (2) To advise the State Government on any matter concerning conservation of bio-diversity, sustainable use of its components and fair & equitable sharing of benefits arising out of the commercial utilization of biological resource and associated knowledge;
- (3) To regulate by granting of approval or otherwise, requests for commercial utilization or bio-survey and bio-utilization of biological resource received from Indian nationals/organization;
- (4) To facilitate updating and implementation of State Biodiversity Strategy and Action Plan;
- (5) To sponsor studies, investigations & research and organize Conferences/Seminars/Workshops/ Meetings on various issues related to biodiversity;
- (6) To engage on contract Consultants/Manager/ Technical Assistant/Research Assistant, as required, for a specific period not exceeding three years, for providing technical assistance in the effective discharge of the functions of the Board.
- (7) To collect, compile and publish technical and statistical data, manuals, codes or guidelines relating to the conservation of biodiversity, sustainable use of its components and fair & equitable sharing of benefits arising out of the commercial utilization of biological resource and associated knowledge;
- (8) To Organise through mass media a comprehensive programme regarding conservation of biodiversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the commercial utilization of biological resources and knowledge.
- (9) To plan and organise training of personnels engaged or likely to be engaged in programmes for the conservation of biodiversity and sustainable use of its components;
- (10) To take necessary steps to build up data base and to create information and documentation system for biological resources and associated traditional knowledge through People's Biodiversity Registers and electronic data base, to ensure effective management, promotion and sustainable use;
- (11) To give directions to the Local Bodies/Biodiversity Management Committees in writing or through appropriate oral means, for effective implementation of the Act, and to facilitate their meaningful participation in all measures relating to conservation, sustainable use and equitable benefit sharing;
- (12) To report to the State Government about the functioning of the Board and implementation of the rules made under the Act;
- (13) To devise method to ensure protection of rights including intellectual property right over biological resources and associated knowledge by engaging legal experts and develop such systems of maintaining information as appropriate, including the protection of the information recorded in People's Biodiversity Register;

- (14) To undertake physical inspection of any area in connection with the implementation of the Act ;
- (15) To ensure that bio-diversity dependant livelihood projects are integrated into all sectors of planning and management, and every level of planning from state to local level, to enable such sectors and administrative levels to contribute effectively for conservation and sustainable use;
- (16) To prepare the annual Budget of the Board incorporating its own receipts along with the receipts from the State, Central Government and National Biodiversity Authority and other means;
- (17) To recommend creation of posts to the State Government for effective discharge of the functions of the Board, provided that no such post whether permanent/ temporary would be created without prior approval of the State Government;
- (18) To notify Biodiversity heritage sites under section 37 of the Act and take necessary measures for its management and conservation;
- (19) Board shall endeavour to mainstream the issues concerned with conservation of biodiversity into the local level developmental schemes.
- (20) To provide technical guidance and advise to various Department of the State Government in the matter of Biodiversity.
- (21) To reward person/community/institution for contribution or innovative work in the field of biodiversity conservation, its sustainable use and sharing of benefits in the State.
- (22) To adopt various measures for increase of revenue like fixed deposits, advertisements, securities, donation and others.
- (23) To sanction grants-in-aid and grants to the Biodiversity Management Committees for specific purposes as per the requirement and availability of fund.
- (24) To hire services of legal experts and taking other necessary measures to oppose grant of intellectual property right on any biological resources and associated knowledge obtained in illegal manner from the State.
- (25) To perform such other functions necessary to implement the provisions of the Act or as may be directed by the State Government from time to time.

Powers and duties of Chairperson

13. (1) The Chairperson shall be the Chief Executive of the Board and Head of the Department and shall have the overall control of the Board.
- (2) The Chairperson shall convene and preside over all the meetings of the Board and shall ensure that all decisions taken by the Board are implemented in proper manner.
- (3) The Chairperson either himself or through an officer of the Board authorized for the purpose, may sanction and disburse all payments against the approved budget.
- (4) The Chairperson shall have full powers for granting administrative and technical sanction to all estimates.
- (5) The Chairperson shall exercise such other powers and perform such other functions as may be delegated to him from time to time by the Board/State Government.

Procedure for

14. (1) Any citizen of India or a body corporate, organization or association registered

**access to
biological
resources and
associated
traditional
knowledge**

in India, intending to undertake any activity referred to in Sec. 7 of the act, in the territory of Uttarakhand, shall give prior intimation to the Board in Form-1.

- (2) Every such application in form-1, shall be accompanied by fees in the form of demand draft from Nationalized Bank as prescribed below for different kinds of commercial utilization of biological resources :

(i) For commercial utilization such as trading and manufacturing : ₹ 10,000/-

(ii) For bio-survey/bio-utilization/research
etc. meant for commercial utilization : ₹ 5,000/-

(iii) For bio-survey/bio-utilization/research
etc. not for commercial utilization : No fee

Provided that the above fee may be revised by the Board from time to time.

- (3) The Board shall, in consultation with the concerned local bodies, after collecting such other information, as may be required and making such enquires, as it may deem fit, dispose of the application, as far as possible, within a period of six months from the date of its receipt.

- (4) On being satisfied with the merit of the application, the Board may grant the approval for access to biological resources and associated knowledge subject to such term and conditions as it may deem fit to impose.

- (5) A written agreement for access and benefit sharing (ABS) shall also be signed between authorized officer of the Board and the applicant. The format of the agreement shall be as prescribed by the Board from time to time.

Provided that the access and benefit sharing shall be implemented in the manner provided in the guidelines/regulations as notified by National Biodiversity Authority/Central Government from time to time.

- (6) The approval of access/collection of biological resources may provide special measures for its conservation and maintenance of biological resource to which the access to/collection is being granted.

- (7) The Board may for reasons to be recorded in writing reject the application, if it considers that the request cannot be acceded to.

- (8) No application shall be rejected unless the applicant is given a reasonable opportunity of being heard.

- (9) Any information given in Form-1 as prior intimation shall be kept confidential.

**Revocation of
access or
approval**

15. (1) The Board may either on the basis of any complaint or *suo moto* withdraw the approval granted for access and revoke the written agreement under the following conditions; namely:-
- (a) on the basis of reasonable belief that the person to whom the approval was granted has violated any of the provisions of the Act or the condition on which the approval was granted ;

- (b) when the person who has been granted approval has failed to comply with

the terms of the agreement ;

- (c) on failure to comply with any of the conditions of access granted;
- (d) on account of overriding public interest or for protection of environment and conservation of biological diversity;

(2). The Board shall send a copy of every order of revocation issued by it to the concerned Biodiversity Management Committees for prohibiting the access and also to assess the damage, if any, caused and take steps to recover the damage.

Restriction on activities related to access to biological resources:

16. (1) The Board, if it deems necessary and appropriate shall take steps to restrict or prohibit the request for access to biological resources for the following reasons ; namely :-
- (a) the request for access is for any endangered taxa;
 - (b) the request for access is for any endemic and rare species;
 - (c) the request for access may likely to result in adverse effect on the livelihoods, culture and traditional knowledge of the local people;
 - (d) the request to access may result in adverse environmental impact which may be difficult to control and mitigate;
 - (e) the request for access may cause genetic erosion or affecting the ecosystem function;
 - (f) use of biological resources for purposes contrary to interest of State Government, national interest, and other related international agreements entered into by India.

Annual Report and Annual Statement of accounts

17. (1) The Board shall prepare its annual report for each financial year giving detailed account of its activities of previous financial year and the annual statement of accounts and submit the same to the State Government.
- (2) The Board shall submit the annual report and the annual audited statement within 06 months from the date of closing of the accounts i.e. 30 September, to the State Government.
- (3) The accounts of the State Biodiversity Board shall be maintained and audited in consultation with the Accountant-General of the State. Board shall furnish audited copy of accounts together with auditor's report to the State Government by October 30th of each year in **Form-2**.
- (4) The State Government shall cause the annual report and auditor's report to be laid, as soon as may be, after they are received, before the house of State Legislature.

Constitution and functions of Biodiversity Management Committees

18. (1) Every local body shall constitute a Biodiversity Management Committee (BMC) within its area as provided under sub-section (1) of section 41 of the Act.
- (2) The Biodiversity Management Committee as constituted under sub-rule (1) shall consist of a Secretary and not more than six persons nominated by the

local body, of whom not less than one third should be women and not less than 18% should belong to the Scheduled Castes/Scheduled Tribes;

Provided that the members of the committee shall be the proven resident of the local body and their names should be included in the electoral roll of the concerned local body.

- (3) The Chairperson of the Biodiversity Management Committee shall be elected from amongst 06 nominated members of the committee in a meeting to be chaired by the Chairperson of the local body. The Chairperson of the local body shall have the casting votes in case of a tie.
- (4) The Divisional Forest Officers of territorial Forest Divisions shall be the Nodal Officers to help the Board and oversee the activities related to Biodiversity Management Committees.
- (5) The Secretary of the Biodiversity Management Committee shall be nominated by the Nodal Officer/Divisional Forest Officer (territorial) within their jurisdiction from amongst Forest Guard/Forester/Dy. Ranger of the Forest department, posted nearest to the concerned local body.
- (6) The local Member of State Legislative Assembly and Member of Parliament would be special invitees to the meetings of the Committee.
- (7) The tenure of the Biodiversity Management Committee shall be maximum of 05 years and shall be co-terminus with the tenure of the local body, however, the existing BMC shall continue to function, until a new committee is constituted.
- (8) The BMCs shall hold a minimum of 4 meetings in a year and meet at least once in every 3 months. The meetings shall be chaired by the Chairperson of the BMC, and in his/her absence, by any other member elected by the members present. The quorum at every meeting shall be 03 including the Chairperson and excluding official member (secretary).
- (9) The main function of the BMC is to prepare People's Biodiversity Register (PBR) in consultation with local people. The Register shall contain comprehensive information on availability and knowledge of local biological resources, their medicinal or any other use or any other traditional knowledge associated with them. A Bio-Cultural Community Protocol (BCP) shall also be prepared to promote Access and Benefit sharing (ABS) as an annexure of People's Biodiversity Register.

The BMC shall be responsible for ensuring the protection of the knowledge recorded in PBR, especially to regulate its access to outside persons and agencies.

- (10) In addition to preparation of the People's Biodiversity Register, the BMCs in their respective jurisdiction shall also be responsible for the following :-
 - (a) Conservation, sustainable use and access and benefit sharing of biological resources.
 - (b) Eco-restoration of the local biodiversity.

- (c) Feedback/information to the Board and the National Biodiversity Authority in the matter of Intellectual Property Right (IPR), Traditional Knowledge and local Biodiversity issues.
 - (d) Management of Biodiversity Heritage Sites including Heritage Trees, Animals/ Micro organisms etc., and Sacred Groves and Sacred Water bodies.
 - (e) Regulation of access to the biological resources and/ or associated Traditional Knowledge, for commercial and research purposes.
 - (f) Conservation of traditional varieties/breeds of economically important plants/animals.
 - (g) Biodiversity Education and Awareness building.
 - (h) Documentation, enable procedure to develop bio-cultural protocols.
- (11) To advise on any matter referred to it by the State Biodiversity Board for granting approval, maintain data about the local vairs and practitioners using the biological resources.
- (12) Technical Support Group (TSG) may be constituted by the Board at appropriate level (State/Region/ District/Development block/Gram Panchayat etc). The TSG formed at any level may include representatives from departments like Forests, Agriculture, Horticulture, Veterinary, Fishery, Local Educational and Research Institutions, Autonomous District Councils, Non Governmental Organizations, Herbal Practitioners etc. based on the local conditions.

The Technical Support Group shall assist the BMC in listing local names and traditional knowledge relating to flora & fauna, and current practices of communities regarding conservation within its territorial jurisdiction, to be included in the PBR.

- (13) The BMC shall ensure the documentation of the particulars in People's Biodiversity Registers as prescribed by the National Biodiversity Authority. The Board shall provide guidance and technical support to the Biodiversity Management Committees for preparing People's Biodiversity Registers.
- (14) The People's Biodiversity Registers shall be maintained and validated by the Biodiversity Management Committees. It shall then be counter signed by the Board through its authorized officer.
- (15) The Committee shall also maintain a Register giving information about the details of the access to biological resources and traditional knowledge granted; details of the collection fee imposed and details of the benefits derived and the mode of their sharing from area within its jurisdiction.
- (16) The Biodiversity Management Committees may levy charges by way of collection fees from any person for accessing or collecting any biological resource for commercial purposes from areas falling within its territorial

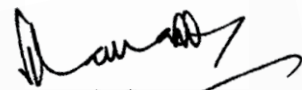
jurisdiction. The Board shall provide guidance to the BMCs for the said purpose.

**Local
Biodiversity
Fund**

- (17) Each Biodiversity Management Committee shall prepare an action plan drawing information validated in the People's Biodiversity Register. The Technical Support Group shall provide help in the preparation of the action plan
19. (1) As per sub section (1) of sec. 43 of the act, there shall be constituted a fund to be called "Local Biodiversity Fund" at the level of local body.
- (2) The Local Biodiversity Fund shall be used for conservation and promotion of biodiversity as advised by the Board in the areas falling within the jurisdiction of the concerned local body and for the benefit of the local community, in so far as such use is consistent with conservation of biodiversity.
- (3) All funds of the BMC shall be operated jointly by the Chairperson and the Secretary of the Biodiversity Management Committee. The Board shall lay down the guidelines for operation of the fund including ways to make its functioning transparent and accountable.
- (4) The Secretary of the Biodiversity Management Committee shall maintain the accounts of the committee. The accounting procedures shall be drawn up and format for the maintenance of the accounts/registers shall be provided by the Board.
- (5) The accounts of the Local Biodiversity Fund shall be audited annually by the auditor specially appointed for the said purpose by the Board. The Secretary of the BMC shall furnish audited copy of accounts together with auditor's report of the previous financial year to the concerned local body and the Board by September 30th every year.
- (6) The Biodiversity Management Committee shall prepare its annual report, giving full account of its activities during the previous financial year along with audited copy of accounts together with auditor's report thereon, and submit a copy thereof to the Board and the local body in **Form - 3**.

**Settlement of
disputes**

20. If a dispute arises between two or more Biodiversity Management Committee(s) or between Biodiversity Management Committee(s) and department(s) or between two department(s) on any issue related to the subject of biodiversity, the aggrieved party(s) may file application before the Chairperson of the Board in prescribed **Form-4**. The order of the Chairperson shall be final & shall be applicable to all the parties.

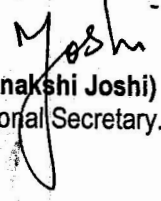

(S. Ramaswamy)
Chief Secretary.

Copy for information and necessary action to the following:-

1. Principal Secretary to Hon'ble Chief Minister, Government of Uttarakhand.
2. Principal Secretary to H.E. the Governor of Uttarakhand.
3. Staff Officer Chief Secretary, Government of Uttarakhand.
4. Personal Secretary-Hon'ble Forest & Wildlife Minister, Government of Uttarakhand.

5. Account General, Uttarakhand, Dehradun.
6. Secretary, MoEF & CC, Govt of India, New Delhi-110003.
7. Secretary, National Biodiversity Authority, Chennai, Tamil Nadu.
8. Principal Chief Conservator of Forests, Uttarakhand, Dehradun.
- ✓ 9. Chairman & Member Secretary, Uttarakhand Biodiversity Board, Dehradun.
10. Director, Government Press, Roorkee for publishing 150 copies of this notification.
11. Gaurd file.

By Order


(Meenakshi Joshi)
Additional Secretary.

FORM - 1

Application form for access to Biological Resources and associated traditional knowledge

[See Sec. 24 of the Act and Rule 14(1)]

PART-A

1. Full particulars of the applicant
 - i. Name :
 - ii. Permanent Address :
 - iii. Address of the contact person/agent, if any :
 - iv. Profile of the person/organization (Please attach relevant documents of authentication) :
 - v. Nature of Business :
 - vi. Turnover of the organization : (a) Financial year
(b) Turnover
 - vii. Different kinds of taxes paid to the Government during above mentioned financial year:
2. Details and specific information about nature of access sought and biological material and associated knowledge to be accessed
 - (a) Identification (scientific name) of biological resources and its traditional use:
 - (b) Geographical location of proposed collection:
 - (c) Description/nature of traditional knowledge (oral/documentated):
 - (d) Any identified individual/community holding the traditional knowledge:
 - (e) Quantity, rate and cost of biological resources to be collected (give the schedule):
 - (f) Time span in which the biological resources is proposed to be collected:
 - (g) Name of person authorized by the company for making the selection:
 - (h) The purpose for which the access is requested including the type and extent of research, commercial use being derived and expected to be derived from it:
 - (i) Whether any collection of the resource endangers any component of biological diversity or the risks which may arise from the access:

3. Details of national institution which will participate in the Research and Development activities.
4. Primary destination of accessed resource and identity of the location where the R&D will be carried out.
5. The benefits arising or expected to arise from the access to biological resource or knowledge (estimate of the benefits):
6. The system and arrangement for the sharing of benefits:
7. Details of Payment of applicant fee (Draft No.....Bank Name.....
.....AmountDate.....)
8. Other Information, if understood as relevant :

PART-B

DECLARATION

I/we declare that:

- Collection of proposed biological resources shall not adversely affect the sustainability of the resources;
- Collection of proposed biological resources shall not entail any environmental impact;
- Collection of proposed biological resources shall not pose any risk to ecosystems;
- Collection of proposed biological resources shall not adversely affect the local communities;

I/We further declare the information provided in the application form is true and correct and I/we shall be responsible for any incorrect/wrong information.

Signed

Applicant Name/Organization Name & Stamp

Place

Date

FORM - 2

Annual Report Format for Uttarakhand Biodiversity Board

[See Section 33 of the act and Rule 17(3)]

The "Annual Report" to be prepared by Uttarakhand Biodiversity Board may have the following heads :

1. The period to which the report relates (Financial Year):
2. The office bearer during the period:
 - (i) Name of the Chairman :
 - (ii) Name of the Member Secretary :
3. Introduction and Biodiversity profile of the state :
4. Constitution of the Board :
5. Meetings of the Board, decisions taken and the minutes of meeting :
6. Progress report with respect to the constitution of BMC in the state :
7. Progress report with respect to preparation of Peoples Biodiversity Register (PBR) :
 - (i) Documentation:
 - (ii) Updation :
 - (iii) Validation :
8. Progress report towards the declaration of Biological Heritage Sites (BHS) :
9. Progress report of the ongoing projects (if any) and proposed projects :
10. Statement of any other programmes /activities/ celebration during the year:
11. Activities related to Biodiversity Strategy & Action Plan :
12. Activities related to Human Resource Development (Workshop/ Training Programmes / Conference/Seminars etc :
13. Financial position & Balance Sheet of the Board including Auditor's Report :
14. Annual Financial Report :
15. Brief account of the state of Access and Benefit Sharing with respect to the Biological resource and traditional knowledge :
16. Important communication between BMC – SBB – NBA :
17. Photographs, News clipping (if any):
18. Any other information :

FORM - 3

Annual Report Format for Biodiversity Management Committee

[See Section 45 of the act and Rule 19(6)]

The "Annual Report" to be prepared by the Biodiversity management committee may have the following heads :

1. The name & particulars of the committee:
2. Constitution of the committee (Name of the members):
3. The period to which the report relates (Financial Year):
4. The incumbency of office for the period:
 - (i) Name of the Chairperson :
 - (ii) Name of the Secretary :
5. Detailed statement of programmes of action for the year:
6. Detailed report on the activities performed during the year:
7. A brief account of financial position of the committee:
8. Map of jurisdiction:
9. Progress of work in people's Biodiversity Register (PBR):
 - (i) Documentation:
 - (ii) Updation :
 - (iii) Validation in consultation with the SBB :
10. Minutes of meetings and resolutions & decisions taken by BMC :
11. BMC Annual Financial Report :
12. List of Visitors:
13. List of persons/organizations who were provided access to biological resources and traditional knowledge by BMC :
14. Detail of different receipts :
 - (i) Receipt by way of fee levied for collecting biological resources :
 - (ii) Receipt by way of providing access to traditional knowledge :
 - (iii) Receipt by way of Benefit sharing :
 - (iv) Receipt from other sources :
15. Important communication between BMC – SBB – NBA :
16. Photographs, News clipping (if any):
17. Any other information :

FORM – 4
Form of Application
(See rule 20)

BEFORE THE STATE BIODIVERSITY BOARD,

[Application No.of]

.....
.....
.....

.....Applicant (s)

Vs.

.....
.....
.....

.....Respondent (s)

(Here, mention the designation of the BMC/ Department, as the case may be)

The applicant begs to prefer this application against the order dated passed by the Respondent on the following facts and grounds.

1. FACTS :

(Here briefly mention the facts of the case):

- i.
- ii.
- iii.
- iv.

2. GROUND :

(Here mention the grounds on which the application is made):

- i.
- ii.
- iii.
- iv.

3. RELIEF SOUGHT

i.

ii.

iii.

iv.

4. PRAYER

(a) In the light of what is stated above, the applicant respectfully prays that the order/decision of the respondent be quashed/set-aside.

(b) Order/decision of the respondent be quashed/modified/annulled to the extent

.....

Place :.....

Dated:

Signature of the applicant

With seal

Address

.....

VERIFICATION

I, the applicant do hereby declare that what is stated above is true to the best of my information and belief. Verified onday of

Place :.....

Dated:

Signature of the applicant

With seal

Address

.....

Enclosures: 1. Authenticated copy of the order/direction, against which the application has been preferred.

