



KARNATAKA BIODIVERSITY BOARD

Government of Karnataka
(Forest, Ecology and Environment
Department)



Directions under Section 49(1) of the Biological Diversity Act, 2002, Government of Karnataka, No. FEE 154 ENV 2018 dated: 15.9.2020

The Government of Karnataka, in exercise of its powers under Section 49 of the Biological Diversity Act, 2002, through directions has provided window of opportunity of 60 days to the entities using Biological resources from Karnataka for commercial utilisation to comply with the provisions of the Act.

The Directions are:

- 1 All citizens of India and Indian entities who fall under the ambit of Section 7, who are desirous to comply with the provisions of the Biological Diversity Act and Rules can give prior intimation to the Karnataka State Bio-diversity Board by making an application in Form-I within a period of 60 days from the date of issuance of this direction.
- 2 Also taking into account that the Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations only came into force in 2014, a window of opportunity for compliance of the Act from date:15.09.2020 to date:15.11.2020 is to be provided. This window of opportunity is provided to the acts and approvals that were required to be obtained in the past subject to certain restrictions.
- 3 All such applications in Form-I for ex-post facto approvals will be scrutinized by the Board in a hearing and only on adequate and reasonable justification and by recording the reasons, the Board, if satisfied, may permit the application. The Board shall consider all such cases of ex-post facto approvals on the basis of merit and shall ensure that only such cases are granted approval for future activities, which would have otherwise been approved in the normal course, had the Indian citizen/entity concerned applied in time for the prior approval.

The Government of Karnataka has further directed the Board to take decisions thereon within a period of 60 days from the date of issuance of this order, including the course of action for matters related to the past. Therefore, it is brought to the attention of all the entities using Biological resources from Karnataka for commercial utilisation to comply with the provisions of the Act, and to submit Form-I and ABS obligation to the Karnataka Biodiversity Board failing which action as per Section 55 & 56 of the Biological Diversity Act, 2002, will be initiated.

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DIPR/DDU/YC/1212/2020-21

For further details
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