

Karnataka Biodiversity Board

Proceedings of the 22nd Board Meeting

**Venue: KFDC Meeting Hall, Second Floor, VANAVIKAS, 18th Cross,
Mallechwaram, Bengaluru – 560 003**

The 22nd Board Meeting of the Karnataka Biodiversity Board was held on 22/04/2014 in the KFDC Meeting Hall, 2nd Floor, Vanavikas Building, Mallechwaram 18th Cross, Bengaluru.

The following members were present:

1	Sri. R.M.N. Sahai, I.F.S (Retd.), No.1 'D', 1 st Main Road, 14 th Cross, M.C.H.S Colony, H.S.R Layout, Sector-6, Bengaluru – 560102.	Chairman
2	Sri. M. Madan Gopal, IAS, Additional Chief Secretary to Government Forest, Ecology and Environment Department, MS Building, Bengaluru	Ex-officio Member
3	Sri. Ramachandra, IFS Secretary to Government Forest, Ecology and Environment Department, MS Building, Bengaluru	Ex-officio Member
4	Sri. G.V. Sugur, IFS Principal Chief Conservator of Forests (HoFF) Aranya Bhavan, 18 th Cross, Mallechwaram, Bengaluru - 560003	Ex-officio Member
5	Director Sri Vijayakumar Gogi, IFS Department of AYUSH Danvantari Road, Ananda Rao Circle, Bengaluru - 560009	Ex-officio Member
6	Dr. H. Shivananda Murthy Professor & Head, Department of Aquaculture College of Fisheries, Kankanady, Mangalore - 575002	Non-officio Member
7	Dr. M. Sanjappa CSIR Emeritus Scientist No:504, Block C-7, Kendriya Vihara, Yelahanka, Bengaluru -560034	Non-officio Member
8	Dr. M. H. Swaminath, IFS (Retd.) No: 19A, 1 st 'B' Main, 6 th Sector, H.S.R. Layout, MCHS Colony, Bengaluru - 560034	Non-officio Member
9	Dr. K.N. Ganeshiah Professor & Head, Department of Forest & Environmental Sciences, GKVK, University of Agricultural Sciences, Bengaluru - 560065	Non-officio Member
10	Sri R. K. Singh, IFS, Member Secretary Karnataka Biodiversity Board Ground Floor, Vanavikas, 18 th Cross, Mallechwaram, Bengaluru - 560 003	Member Secretary – Convenor

Leave of absence was granted to the following members:

1	Sri Bharat Lal Meena, IAS, Principal Secretary to Government Agriculture Department, MS Building, Bengaluru	Ex-officio Member
2	Dr. M.D. Subash Chandran Environment Specialist, C- 789 Viveknagar, Kumta - 581343, Uttara Kannada District.	Non-officio Member

The meeting commenced with the formal welcome of the members by the Chairman, and the agenda for the meeting was taken up for discussion and decisions.

Subject: 22/1 - Reading and recordings of the proceedings of 21st Board meeting.

The proceedings of the 21st Board meeting were communicated to all the members. As there were no comments from the Members, the proceedings are hereby adopted.

Subject: 22/2 - Action taken report on 21st Board meetings.

When the action taken report on the decisions of the previous Board meetings was taken up, the Board suggested that wherever there is a need of further action and decision in the action taken report, such of the subjects should be placed as a new agenda in the agenda notes. Accordingly, the same subjects are now transferred to agenda 22/8 under the subject – ‘Any other subjects with the permission of the Chair.’ Thereafter, subject-wise discussion took place.

Subject: 8/11 - Filling up of staff vacancies in Karnataka Biodiversity Board.

The action taken is noted by the Board.

Subject: 14/13 - Preparation of district level Action Plan on Biodiversity.

The subject is transferred and discussed in agenda 22/8 (Any other subjects with the permission of the Chair.)

Subject: 15/2 - Declaration of Agro Biodiversity Heritage Site.

The action taken is noted by the Board.

Subject: 16/3 - Declaration of Mango Farm as Agro Biodiversity Heritage Site.

The action taken is noted by the Board.

Subject: 16/4 - Project on Conservation and Utilization of Deep water Rice Genetic Resources of the Varada River Course in the Western Ghats of Karnataka.

The subject is transferred and discussed in agenda 22/8 (Any other subjects with the permission of the Chair.)

Subject: 19/6 - Protection of *Nothapodytes nimmoniana*, an anti cancer medicinal plant.

The subject is transferred and discussed in agenda 22/8 (Any other subjects with the permission of the Chair.)

Subject: 20/2 - Provisions of Biological Diversity Act, 2002 and Karnataka Biological Diversity Rules, 2005 and issue of manufacturing license to Bio resource based industries (Form -1)

The action taken is noted by the Board.

Subject: 21/2 (b) - Vehicle for Chairman.

The action taken is noted by the Board.

Subject: 21/3 - Filling up of staff vacancies in Karnataka Biodiversity Board.

The action taken is noted by the Board.

Subject: 21/4 - Creating two regional Zones of the Karnataka Biodiversity Board.

The action taken is noted by the Board.

Subject: 21/7 - Formation of Technical Committees / Groups.

The action taken is noted by the Board.

Subject: 21/10 - Karnataka Biodiversity Board Supporting Staff.

The subject is transferred and discussed in agenda 22/8 (Any other subjects with the permission of the Chair.)

Subject: 21/13 - Approval of Budget and Expenditure for the year 2013-2014 and 2014-2015.

The subject is transferred and discussed in agenda 22/8 (Any other subjects with the permission of the Chair.)

Subject: 21/17 - Sponsorship for Nallur Biodiversity Heritage Site for Fencing.

The subject is transferred and discussed in agenda 22/8 (Any other subjects with the permission of the Chair.)

Subject: 21/18 - Financial assistance for Awareness Campaign on Biodiversity Conservation in Aghanashini, Uttara Kannada District on 22nd and 23rd February 2014 by Eco-Watch.

The action taken is noted by the Board.

Subject: 21/19 - Saving the nutmeg gene pool of India in Ankola taluk, Uttara Kannada.

The action taken is noted by the Board.

Subject: 21/20 - Construction of new road over Bridge in GKVK campus.

The action taken is noted by the Board.

Subject: 21/21 - Project on the river diversion of Netravati / Yettinahole in Western Ghats.

The action taken is noted by the Board.

Subject: 21/22 - Formation of Expert Committee to review the reports on various Projects of the Research/Studies submitted by various agencies.

The action taken is noted by the Board.

Subject: 21/23 - Any subject with the permission of the Chair.

The subject is transferred and discussed in agenda 22/8 (Any other subjects with the permission of the Chair.)

Subject: 22/3 - Issues related to Access and Benefit Sharing.

1. On scope and coverage of the Biodiversity Act;

i. The Chairman introduced the subject. Explaining main objective of the Act, the Chairman said that the Act aims at achieving conservation of Biological Diversity & sustainable use of its components by fair and equitable sharing of benefits between 'Benefit claimers' and those putting Bioresource to 'commercial utilization'. In the process, Section 7 of the Act has mandated that any person, who is a citizen of India etc., shall obtain any biological resource for 'bio-survey and bio-utilization' for 'commercial utilization' only after giving prior intimation to the State Biodiversity Board (The local communities, growers etc., are excluded). The words 'commercial utilization' or 'bio-survey and bio-utilization' are also defined in the Act. Taking this definition into consideration, the Board has now to approve the list of industries which has to be addressed for the purposes of benefit sharing and they may also have to be informed to meet the requirement of law before obtaining any biological resource. The Madhya Pradesh Biodiversity Board has attempted to define the scope of the Act and have published a booklet, a copy of which is placed in annexure-9 to the agenda notes. They have given a very wide scope to the Act by which, not only the living plants and animals, but also the fossil fuel of bio-origin like petroleum and coal are covered. Besides obtaining Form-1 majorly from Ayurveda based pharmaceuticals, the board is also receiving it from Aroma & Cosmetics industries, Chocolate and food industries. However, if all the industries using bioresource has to be covered, accepting the approach taken by Madhya Pradesh Biodiversity Board, then a large number of industries will have to be addressed, a tentative listing of which is included in page 27-29 of the agenda notes. The Chairman requested that Karnataka Biodiversity Board (KBB) may take a decision in this regard. ACS (FEE) was of the view that if we adopt the approach of MP Biodiversity Board is far fetching and only after focusing on the specific industries mentioned in the Act, there should be gradual expansion of such list after assessing pros and cons in a holistic manner. Dr. Swaminath expressed that some Critically Endangered species, should be identified and benefit sharing should be attempted with reference to only such species.

ii. Detailed deliberations took place on the matter and it was felt that given its present staff strength and infrastructure, the Karnataka Biodiversity Board is not fully equipped to address all the industries accessing and using Bioresource. Further, the scope of the Act will also get clarified over a period after

verdicts in cases pending in various courts in the country are received. Hence it was resolved that Karnataka Biodiversity Board, to start with, should address only three industries namely (i) Ayurvedic Pharmaceutical, (ii) Nutraceutical and (iii) Cosmetics for obtaining Form-1 and taking further action as per law including sharing of benefits. Much learning will take place in the process and after sometime other category of industries using bioresource can be addressed by the Board. The Member Secretary (KBB) was authorized to pursue further action in the matter as per law subject to the other directions by the Board.

2. On incomplete reporting in Form-1

i. The Chairman explained that some of the industries have submitted Form-1. However, the information furnished in the forms is incomplete in many respects. Most importantly the industries are not disclosing the actual location from where the resource is being collected and supplied to them. They have argued that they obtain materials from their suppliers who are not willing to disclose the source or location of collection of the Bioresource. In absence of this information, it is not possible for the Board to monitor and control the utilization of bioresource and further the benefits also cannot reach the concerned Biodiversity Management Committee (BMC). The Additional Chief Secretary, (F&E) stated that there are similar problems in other industries also. He further suggested that a meeting should be called inviting the industry representatives who should be explained the provisions of the Act and their support in obtaining the relevant information of Form-1 should be solicited. The Member Secretary (KBB) informed that such meeting has already taken place in the Office of Director of Ayush. However, other stakeholders will again be called and addressed about the provisions of the Act. This approach was endorsed by the Board and authorized the Member Secretary (KBB) to take further action in the matter.

ii. Regarding the scope of the word 'Organization', the Secretary, (E&E) opined that all the Government Departments, Government Corporations, Universities and such other organizations accessing bioresource are also covered under the Act hence they should be submitting Form-1 to Karnataka Biodiversity Board to facilitate further action mandated under the law. The Member Secretary (KBB)

should identify such organizations and intimate them about the provision of the law and request them to follow the same. The opinion of the Secretary (E&E) was endorsed by the Board. However, decision of the Board is forwarded to Government to seek legal opinion on the matter.

Subject: 22/4 - Travelling Allowance of KBB Employees.

I - After detailed deliberations, the Board approved the proposal for allowance to be paid to Karnataka Biodiversity Board employees while on tour.

II – The proposal for reimbursement of expenses incurred on stay in hotel for permanent staff deputed with the Board was discussed. The Board resolved that provision of KCSR be made applicable regarding admissibility of TA/DA of officers and staff of the Board.

III - It is resolved to reimburse the mobile charges of officers/staff of KBB as below

1. Officers on deputation - As per their entitlement in Parent Department.
2. Other staff of Karnataka Biodiversity Board - Rs. 300/- per month.

Subject: 22/5 - Declaration of Eco-Sensitive Zones in the Kaveri Basin:

The proposal of the Honorable Lok Adalath to declare either side of Kaveri river upto 300 meters as eco-sensitive zone was discussed in great details. It was felt that an extensive study needs to be undertaken in the matter. Since Karnataka Biodiversity Board does not have this kind of expertise, the Board resolved to request the Government to entrust the responsibility to the Environment Management and Policy Research Industries (EMPRI) to undertake the study and make suitable recommendations.

Subject: 22/6 - Projects for French Government Finance.

Some deliberation took place on the subject. ACS (FEE) felt that the abstract given in Annexure 12 includes several incoherent activities. Explaining to this, the Member Secretary (KBB) informed that the project has several components involving different stakeholders and covers the entire coastal zone of Karnataka. On approval, it will be implemented by different line departments dealing with biodiversity.

The detailed project report has been sent to Dr. A.K Ghosh, Former Director, Zoological Survey of India (ZSI) for his comments which is awaited. He also requested the Board members to contribute their valuable suggestions so that the same can be incorporated and a suitable proposal built up and submitted to Government. After detailed discussion, the Board resolved and authorized the Member Secretary (KBB) that after receiving the comments from Dr. Ghosh, the matter should be placed before a committee with members having relevant expertise and the outcome of the meeting should be placed in the next Board meeting.

Subject: 22/7 - Appointment of Legal consultant.

The Board deliberated and appreciated the need for a legal consultant. Thereafter it was resolved to appoint Sri. S. S Sarangamath, Retired Judge on a remuneration of Rs 50,000/- per month for a period of two months. The Member Secretary (KBB) was authorized to issue appointment order with relevant terms and conditions. The Member Secretary (KBB) was also advised that proper procedure should be followed to appoint a legal consultant for a longer duration and was authorized to take appropriate action on the subject.

Subject: 22/8 - Any other subject with permission of the Chair.

I. Subject: 14/13 - Preparation of district level Action Plan on Biodiversity.

Dr. M.H Swaminath, Member of the Board, informed that he has already taken up work in association with Dr. M.D Subhashchandran, Member of the Board. The ACS (FEE) requested Dr. Swaminath to prepare the action plan in a manner that it can be used as a model for preparation of the biodiversity action plan for other districts. All the members of the Board endorsed the opinion of the ACS (FEE).

II. Subject: 16/4 - Project on Conservation and Utilization of Deep water Rice Genetic Resources of the Varada river course in the Western Ghats of Karnataka.

After detailed deliberations, the Board approved the project submitted by Dr. Surendra, Senior Scientist, Agriculture Research Station, Sirsi, at a total cost of Rs. 3,62,320 and a time period of one year. The Board also directed the Member Secretary (KBB) to request Dr. Dushyanth Kumar,

Associate Professor, Agriculture College, Shimoga to be a part of the project as recommended by the Technical Committee.

III. Subject: 19/6 - Protection of *Nothapodytes nimmoniana*, an anti cancer medicinal plant.

After detailed deliberation on the subject, the Members felt that there are many species which are under pressure because of over harvesting. Dr. M.S Swaminath has pointed out that the Board can start with one species to find out the details of status and its use etc. Dr. Sanjappa advised that, to start with, this species (*Nothapodytes nimmoniana*) can be taken up. The Board has asked the Member Secretary (KBB) to submit a report on this in the next board meeting.

IV. Subject: 21/10 - Karnataka Biodiversity Board Supporting Staff.

After detailed deliberations, the Board advised the Member Secretary (KBB) to appoint the sanctioned staff mentioned in the agenda, through a manpower supply agency, by following prescribed procedure under Karnataka Transparency in Public Procurements (KTPP) Act/Rules.

V. Subject: 21/13 - Approval of budget and expenditure for the year 2013-2014 and 2014-2015.

The Audited accounts for the year 2010-11, 11-12 and 12-13 was deliberated and approved.

VI. Subject: 21/17 - Sponsorship for Nallur Biodiversity Heritage Site for Fencing.

During the discussion on this subject Dr. Sanjappa, Member of Board, intimated that he has recently visited the Nallur Tamarind grove and found that it is under serious threat as trees are being chopped and damaged in various ways. Some of the trees are slowly dying and if left unprotected, all the trees which are of significant bio importance would disappear sooner or later. As per the decision of the Karnataka Biodiversity Board in its 21st meeting, the concerned Biodiversity Management Committee has been requested to protect the area. However they are hardly seen doing anything. The Chairman suggested that the Biodiversity Management Committee may be required to utilize the MNREGA funds for protecting the Heritage site. The Secretary (E&E) suggested to explore the possibility of funding under Corporate Social Responsibility (CSR) from various industries. Some of the members felt that once proper fencing is done, the area can be developed as a tourist spot and some entry fee can be charged to generate revenue for the

maintenance of the Groove. The Principal Chief Conservator of Forests (HoFF) indicated that the Forest Department does not have sufficient funds to fence the entire area of 60 hectares as it would involve a huge expenditure. Secretary (E&E) also said that Bangalore International Airport Area Planning Authority (BIAAPA) may also be in a position to provide some funds for fencing and longtime protecting of the groove. After further detailed deliberation, the Board authorized the Member Secretary to find out the various sources of funding for putting a strong fence around the area with watch and ward facility. The matter may be placed in the next Board meeting for discussion.

VII. Subject: 21/23 - Any subject with the permission of the Chair.

In the 21st Board meeting, Dr. Swaminath had circulated a paper for perusal of the members wherein he had listed priority action to be taken by the Board. After some discussion on the subject the ACS (FEE) had requested Dr. Swaminath to submit the project proposals in pursuance of his papers, duly indicating the financial implications, expertise available for work and timeline for the same. On 21.4.2014 Dr. Swaminath has given another concept note which was placed in the Board for discussion. However the concept note could not be taken up for discussion and was deferred to be discussed in the next Board meeting.

VIII. Date for the next Board meeting.

It was resolved to hold the next Board meeting on 24.6.2014 at 3:00 p.m.

With no other subject for the discussion, the meeting ended with a vote of thanks to the Chair.

Member Secretary

Karnataka Biodiversity Board.

Chairman

Karnataka Biodiversity Board.