

Karnataka Biodiversity Board

Proceedings of the 30th Board Meeting

Venue: Meeting room, Ground floor, Vanavikas Building,
18th Cross, Malleshwaram, Bengaluru – 560 003.

The 30th Board meeting was held on 08/12/2015 in the Karnataka Biodiversity Board meeting room, Ground floor, Vanavikas Building, 18th Cross Malleshwaram, Bengaluru – 560 003.

Members Present:

1	Sri R.M.N. Sahai, I.F.S (Retd.), Karnataka Biodiversity Board, 4th floor, Vanavikas, 18 th Cross, Malleshwaram, Bengaluru.	Chairman
2	Sri M. Madan Gopal, IAS, Additional Chief Secretary to Government. Forest, Ecology and Environment Department, M.S Buildings, Bengaluru.	Ex-officio Member
3	Sri Subash Chandra, IAS Principal Secretary, Dept. of Rural Development and Panchayath Raj, M.S Buildings, Bengaluru.	Ex-officio Member
4	Sri Ramachandra, IFS Secretary (Ecology and Environment), Forest, Ecology and Environment Department, M.S Buildings, Bengaluru.	Ex-officio Member
5	Sri N. Manjunatha Prasad, IAS., Secretary, Dept. of Agriculture, M.S Buildings, Bengaluru.	Ex-officio Member
6	Sri Vinay Luthra, IFS Principal Chief Conservator of Forests and (HOFF) Aranya Bhavan, 18 th Cross, Malleshwaram, Bengaluru.	Ex-officio Member
7	Dr. M. H. Swaminath, IFS (Retd.) No: 19A, 1 st 'B' Main, 6 th Sector, H.S.R. Layout, MCHS Colony, Bengaluru – 560 034	Non-officio Member
8	Sri Syed Ahmed, Director, Animal Husbandry and Fisheries Dept, Vikasa Soudha, Bengaluru. (Representing Dr. N. S. Channappa Gowda, IAS, Secretary to Govt., Animal Husbandry and Fisheries Dept. Vikas Soudha, Bengaluru.)	Co-opted Member
9	Dr. M.D. Subash Chandran Environment Specialist. C- 789, Viveknagar, Kumta – 581343, Uttara Kannada District.	Non-officio Member

10	Dr. K.N. Ganeshaiah Professor & Head, Department of Forest & Environmental Sciences, GKVK, University of Agricultural Sciences, Bengaluru – 560 065.	Non-officio Member
11	Dr. H. Shivananda Murthy Professor & Head, Department of Aquaculture. College of Fisheries, Kankanady, Mangalore – 575 002	Non-officio Member
12	Sri Subhash K. Malkhede, IFS Director, Dept. of Ayush, Ananda Rao Circle, Bengaluru	Special Invitee
13	Sri R. K. Singh, IFS, Member Secretary, Karnataka Biodiversity Board, Ground floor, Vanavikas, 18 th Cross, Malleshwaram, Bengaluru - 560 003	Member Secretary - Convenor

Leave of absence was granted to the following members/special invitee:

1	Dr. M. Sanjappa CSIR Emeritus Scientist. No: 504, Block C-7, Kendriya Vihara, Yelahanka, Bengaluru -560 034.	Non-officio Member
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The meeting commenced with a formal welcome of the members by the Chairman and the agenda for meeting was taken up for discussion and decisions.

1. Reading and recording of proceedings of the 29th Board meeting:

The proceedings of the 29th Board Meeting held on 06/10/2015 were communicated to all the members. As there were no comments from the members, the proceeding was adopted. (Annexure-I).

2. Action taken on 29th Board Meeting Proceedings:

Action taken on proceedings of 29th Board meeting, as reported in Annexure-II of the agenda, was noted by the Board. The members deliberated on the following agenda of 29th Board meeting.

29/3 Access and benefit sharing:

I) Status:

The members deliberated on the action to be taken against the companies which have failed to pay the ABS obligation and resolved to fix the cut-off date of 31-Dec-2015 for payment of ABS obligation by the defaulting companies. Thereafter, legal action as resolved in the 29th Board meeting may be initiated against such of the companies, who continue to default.

29/4 Project on medicinal plants – “Assessment of population status and removal of bio-resources with special emphasis on medicinal plants in Karnataka”:

While taking note on the action taken on the above project, the members unanimously resolved to associate the CEO of Karnataka Medicinal Plants Authority (KAMPA) as a Special Invitee to the Board meetings.

29/7 Status of technical staff:

The Board noted the action taken for filling the temporary technical positions and approved the names and emoluments as placed in Annexure – IIa of the agenda note.

3. Guidelines for regulating the Bovine Germplasm:

Director, Animal Husbandry and Fisheries Department representing the Secretary, Animal Husbandry and Fisheries Department, presented the guidelines for regulating the Bovine Germplasm. After detailed deliberations, it was resolved to recommend to the Government (Department of Law) through the Department of Animal Husbandry & Fisheries (AH&F) for examination of the guidelines from legal angle and to issue necessary orders/directions in this regard.

4. Access and Benefit Sharing (ABS):

(i) ABS received:

The members deliberated on the recommendations of an in-house committee in detail and stressed upon the core principle that the money should be utilized by the jurisdictional Biodiversity Management Committee (BMC) from where the bioresource has been procured. The Member Secretary explained that the bioresource users are not mentioning the location from where the bioresources are procured, although it is mandatory information required in Form-I. Though there are several recommendations by the committee, the members were of the opinion that the amount of ABS obligation collected so far is too small to be spent on all the six recommendations across all the locations mentioned. Additional Chief Secretary, Forest, Ecology and Environment Department informed that for some of the recommendations like Research and Development, for propagation of species and awards to conservers of biological resources, can be taken up out of the grants from State Government. He further advised the Member Secretary to send a proposal in this regard to the Government. The Board, after further discussion resolved to disburse the ABS amount collected so far among BMC of three or four Biodiversity rich taluks with an indicative programme for utilization of the amount.

(ii) Review of list of medicinal plant species:

The Board noted the fact that some of the species being used by the companies are not there in the list approved during 27th Board meeting as recommended by the Committee constituted by the Board in the 26th Board meeting. Dr. Ganeshiah also pointed out that the spelling for the species need to be rechecked. Further, the members deliberated on the issue of 'phasing out' of species given in list-I in detail. The PCCF and HoFF suggested that the use of species mentioned in list-I cannot be stopped if it is being raised as private plantation. The ACS, FEE stated that the phasing out of species can only be done if there is a substitute available. The Board was of the unanimous view that total prohibition does not work and hence such recommendations are not practical. After

further detailed deliberations, it was resolved that all the species can continue to be in use till their alternatives are found. It was further resolved to constitute a committee with CEO, KAMPA as Chairperson and a representative from FRLHT and Deputy Director, AYUSH from Karnataka Biodiversity Board as members to discuss these issues and submit their recommendations to the Board.

(iii) Proforma for submitting ABS obligation based on ex-factory sale:

The Board noted the fact that as per the guidelines of access to biological resources and associated traditional knowledge and benefits sharing regulation, 2014, issued by MoEF&CC, there are two options for calculating the ABS obligation. One option (3-5%) is on the purchase price of each bio-resource and the other one is based on ex-factory sale (0.1 to 0.5%) and there is no prescribed format for payment of ABS obligation based on ex-factory sales. After detailed deliberations, the Board resolved to approve the proforma given in Annexure-VII of agenda note for submission of the same along with the payment of ABS obligation based on ex-factory sale.

5. Intellectual Property Rights (IPR):

The Member Secretary explained about the legal provisions of Section 41(2) of Biological Diversity Act, under which National Biodiversity Authority seeks the opinion of the BMC concerned from where the bioresource is proposed to be accessed for research or for application for an Intellectual Property Right for any invention based on research or information on biological resources obtained from India. The National Biodiversity Authority gives 30 days time for submission of the response to them from the State Board. This includes the time to get the consent or otherwise from the BMCs. It was further submitted that recently a committee has been constituted to look into the issue in case the consent or otherwise is not received from the BMCs within stipulated time for responding to such applications. Before the constitution of this committee, a conditional reply was being sent

to the National Biodiversity Authority stating that the BMCs consent or otherwise will prevail whenever it is informed by the concerned BMC. After detailed deliberation, the Board approved the action taken in this regard by Member Secretary so far. The Board further resolved to constitute a committee of the Board with Dr. M.H Swaminathan (as Chairperson), Dr. K. N. Ganeshiah, Smt. Meenakshi Negi, APCCF(WP), KFD, Dr. D. A Shankar, Former Director of Research (UAS) Bengaluru, Dr. Utpal Nath, Asst. Prof. Department of Microbiology and Cell Biology, IISc, Bengaluru and Deputy Director (AYUSH), Karnataka Biodiversity Board as Member Secretary to examine and submit their recommendations within the timeline. Such recommendations can be forwarded to the National Biodiversity Authority and a consolidated report should be submitted in the next meeting of the Board for information.

6. Fixing the upper limit of lodging charges:

After detailed deliberations, the Board resolved to approve the lodging charges as per Annexure-X of the agenda note and added Bengaluru in the list along with Belagavi, Mangalore etc.

7. Implementation of GEF Project:

The Board noted the action taken by the Member Secretary for implementing the GEF project and approved the transfer of Rs. 17 Lakhs which shall be recouped back to the Board's account after receiving allotment from the National Biodiversity Authority.

8. Any other subject with permission of the chair.

Member Secretary submitted to the Board that a project on 'Mapping network of procurement of selected plant bio-resources' was approved by the Board in its 25th meeting and the study was carried out by the Environmental Management and Policy Research Institute (EMPRI). The Environmental Management and Policy Research Institute has submitted a draft report which was

presented before the Board by Mrs. Sashwati Mishra, Director, EMPRI. The Board noted the recommendations made in the project report. After detailed deliberation, the Board accepted the report and resolved to implement the recommendations.

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

Member Secretary
Karnataka Biodiversity Board

Chairman
Karnataka Biodiversity Board