

# Karnataka Biodiversity Board

## Proceedings of the 33<sup>rd</sup> Board Meeting

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

The 33<sup>rd</sup> Board meeting convened at 11.00 AM on 17/12/2016 in the Karnataka Biodiversity Board meeting room, Ground floor, Vanavikas Building, 18<sup>th</sup> Cross, Malleshwaram, Bengaluru– 560 003.

### Members Present:

1	Sri R.M.N. Sahai, I.F.S (Retd.), Karnataka Biodiversity Board, 4th floor, Vanavikas, 18 <sup>th</sup> Cross, Malleshwaram, Bengaluru.	Chairman
2	Sri T.M Vijay Bhaskar, IAS, Additional Chief Secretary to Government, Forest, Ecology and Environment Department, M.S Buildings, Bengaluru.	Official Member
3	Sri. R.S.Suresh, IFS Principal Chief Conservator of Forests and (HOFF), Aranya Bhawan, Malleshwram, Bangalore.	Official Member
4	Sri Ramachandra, IFS Secretary (Ecology and Environment), Forest, Ecology and Environment Department, M.S Buildings, Bengaluru.	Official Member
5	Dr. M. H. Swaminath, IFS (Retd.) No: 19A, 1 <sup>st</sup> 'B' Main, 6 <sup>th</sup> Sector, H.S.R. Layout, MCHS Colony, Bengaluru – 560 034	Non-official Member
6	Dr. M.D. Subash Chandran, Environment Specialist. C- 789, Viveknagar, Kumta – 581343, Uttara Kannada District.	Non- official Member
7	Dr. K.N. Ganashaiah, Retd. Professor, School of Ecology and Conservation, Department of Forest and Environmental Sciences, GKVK, University of Agricultural Sciences, Bengaluru-560 065.	Non- official Member
8	Secretary, Animal Husbandry and Fisheries Dept., Vikasa Soudha, Bengaluru.(Represented by Dr. Dwarkanath, Dy. Director, Dept of Animal Husbandry & Veterinary Science)	Co-opted Member
9	Sri. Punati Sridhar, IFS Addl. Principal Chief Conservator of Forests, (Social Forestry) Aranya Bhawan, Malleshwaram, Bangalore.	Invitee
10	Sri. R.K.Singh, IFS, Director, Dept. of Ayush, Ananda Rao Circle, Bengaluru	Special Invitee
11	Sri Virender Singh, IFS, Member Secretary, Karnataka Biodiversity Board, Ground floor, Vanavikas, 18 <sup>th</sup> Cross, Malleshwaram, Bengaluru - 560 003	Member Secretary – Convenor

**Leave of absence was granted to the following members:**

1	Ms Nagambika Devi, IAS Principal Secretary to Government. Dept. of Rural Development and Panchayath Raj, M.S Buildings, Bengaluru.	Official Member
2	Secretary, Dept. of Agriculture, Govt. of Karnataka, M.S Buildings, Bengaluru.	Official Member
3	Dr. M. Sanjappa, CSIR Emeritus Scientist. No: 504, Block C-7, Kendriya Vihara, Yelahanka, Bengaluru	Non-official Member
4	Dr. H. Shivananda Murthy Professor & Head, Department of Aquaculture. College of Fisheries, Kankanady, Mangalore – 575 002	Non-official Member
5	Dr. U.V. Singh, IFS., Chief Executive Officer, KAMPA, Bangalore	Special Invitee

The meeting commenced with a formal welcome of the members by the Chairman.

**1. Reading and recording of proceedings of the 32<sup>nd</sup> Board meeting:**

The proceedings of the 32<sup>nd</sup> Board Meeting held on 18/08/2016 was communicated to all the members. As there were no comments from the members, the proceeding, as reported in Annexure-I of agenda notes, was adopted.

**2. Action taken on 32<sup>nd</sup> Board Meeting Proceedings:**

Action taken on proceedings of 32<sup>nd</sup> Board meeting, as reported in Annexure-II of the agenda, was noted by the Board. Further discussions took place on some of the issues in the 'Action taken report' which is as below:

**31/4 - Status of People's Biodiversity Registers:**

The Board noted the action taken. The issues relating to documentation of People's Biodiversity Registers and formation of Biodiversity Management Committee was discussed by the Board. ACS, FEE suggested that formation of Biodiversity Management Committees should be completed by March 2017 and a total of 1200 People's Biodiversity Registers should be prepared till March 2017. He suggested that Rs. 25,000/- may be spent for preparation of each People's Biodiversity Registers so that Co-ordinators and students may travel frequently to Gramapanchayths for preparation of People's

Biodiversity Registers and an honorarium of Rs. 1,000/- per Registers may be given to Deputy Conservator of Forests (Social Forestry) for effective reviewing and vetting process. He further advised that first agenda in every meeting should be a progress report on the formation of Biodiversity Management Committees and preparation of People's Biodiversity Registers and should be continued till the work is completed in all respects. The suggestions of ACS, (FEE) were agreed by members of the Board. ACS (FEE) further suggested that, PCCF (HOFF) and APCCF (Social Forestry) should review the formation of Biodiversity Management Committees and preparation of People's Biodiversity Registers in their monthly meetings and by Video Conference, so that the work is be speeded up.

### **31/5 - Biodiversity Management Committee:**

The Board noted the action taken. Secretary (E&E) said that the matter is under process in the Government.

### **31/6 – Research Studies:**

#### **iii. Baseline data:**

The Board noted the action taken. Board has suggested Dr. Sanjappa to submit the Photographs, so that the Baseline data works may be published and can be uploaded in the Karnataka Biodiversity Board website. Payments will be made after the completion of the works to scientists, as is already decided by the Chairman, KBB. However, there is an additional agenda note with a request from Dr. M. Sanjappa, which will be discussed in the main agenda item.

### **31/7 - Access and Benefit Sharing:**

The Board noted the action taken. A request was made to the Director (Ayush) to cancel the licenses of such Herbal Companies who do not comply with the provisions of Biological Diversity Act 2002. During the meeting he informed that it may not be possible for him to cancel the licenses of those who do not comply with the Biological Diversity Act 2002. In view of this, the Board decided to follow the procedures and resolved to initiate legal action against the defaulters. It was also decided to call for

expression of interest to prepare a panel of Advocates who are willing to take up cases on the rates sanctioned by the Law Department. The Member Secretary, KBB was authorized to take further action in this regard.

**31/8 -Biodiversity Heritage Sites:**

i. Nallur Tamarind Grove:

The Board noted the action taken. The Board suggested that PCCF (HoFF) may be reminded to take up the work of fencing the Nallur Tamarind Grove under an appropriate Head of Account.

**31/11 - Any other subject with permission of the chair.**

ii. Herbal Mandi:

The Board noted the action taken.

**32/3. Research Studies:**

The Board noted the action taken. The Board requested Director (Ayush) to nominate members to the proposed committee to discuss the issue of protection of Traditional Knowledge documented in the 5 Districts of Karnataka. The Board also advised the Member Secretary that FRLHT may be reminded to nominate a member from their side. However the meetings of this newly constituted committee should commence even if nominations are not received from some organizations.

**32/4. Formation of Biodiversity Management Committees at Corporation/Municipality levels.**

The Board reviewed the action taken and advised that the Deputy Conservator of Forests working with BBMP should be reminded to impress upon BBMP authorities to form the Biodiversity Management Committees at Corporation levels for which a reminder may be addressed to Commissioner, BBMP and Deputy Conservator of Forests, BBMP.

**32/5. Expert Committee on Agro Biodiversity:**

The Board noted the action taken.

**32/6. Access and Benefit Sharing:**

**a) Updated list of Normally Traded as Commodities (NTAC) under Section 40 as notified by MoEF on 7<sup>th</sup> April 2016.**

Board resolved that ABS dues from companies have to be collected by taking help from their respective controlling authorities. Principal Secretary, Dept. of Health and Family Welfare may be requested to prevail upon the respective Departments / authorities to enforce compliance of the provisions of the Act by the industries/dealers of raw materials etc.,

**32/8. Creation of post of Chief Conservator of Forests to be taken on deputation basis:**

Board requested the Secretary (Ecology and Environment) to move the matter with the Government for transfer of a post of Chief Conservator of Forests to Karnataka Biodiversity Board on deputation basis.

**32/9. Creation of two posts of Finance Officer and Accountant on Deputation:**

Board requested the Secretary (Ecology and Environment) to move the matter for creation of a post of Finance Officer and an Accountant for Karnataka Biodiversity Board urgently.

**32/10. Creation of one post of Librarian to preserve / handle People's Biodiversity Registers documents / Research Studies / other records of the Board.**

Dr. Ganeshiah suggested that instead of the post of Librarian, Karnataka Biodiversity Board needs a post of a Documentation Officer. Such an officer should have skills both in Library maintenance and in maintenance /preservation of documents. After some deliberations on the matter the Board requested the Secretary (Ecology and Environment) to get a post of Documentation officer sanctioned. The Member Secretary, Karnataka Biodiversity Board was authorised to send a suitable proposal to the Government in this regard.

**32/11. Creation of Support Staff for office Administration:**

The Board requested the Secretary (Ecology and Environment) for creation of post of Supporting Staff to Karnataka Biodiversity Board.

**32/13. Any other subject with permission from the Chair.**

1. Amendment of Rule – 15 of Karnataka Biological Diversity Rules, 2005 on prior intimation for access to Biological resources for research.

The Board requested the Secretary (Ecology and Environment) to move the matter to Law Department for amendment /clarification of Rule – 15 of Karnataka Biological Diversity Rules, 2005, early.

Dr. Subashchandra pointed out that there is anxiety among Researches that, if they apply Form-I as per provisions of the Rules they may have to wait for approval which may take long time. The Chairman clarified that Form-I is for intimation and a researcher may go ahead with Research work, if nothing is intimated to them within two months of receipt of application in Karnataka Biodiversity Board. The insistence on Form-I from Researchers helps Karnataka Biodiversity Board in creating a data base on all the Researchers working on bioresources. This will help Karnataka Biodiversity Board or any other agency in identifying a Researcher/research work immediately when solution of a problem or some information is needed on a particular bio-resource. The ACS, FEE, expressed that the above decision should be made known to Researchers through the website of the Karnataka Biodiversity Board. This was agreed by the Board and Member Secretary was authorised to take up further action in the matter. ACS, FEE further stated that action should be taken to ensure that in future and as early as possible the receipt and response to 'Form-I' is done online. The Board agreed to the suggestions made by ACS, FEE and authorised Member Secretary, KBB, to take further needful action in this matter.

**33/1 – Access and Benefit Sharing: Proceedings of the 3<sup>rd</sup> meeting of the ABS Expert Committee held on 29<sup>th</sup> September 2016.**

Board agreed for amendment of Rule 15(3), to substitute the word 'may' instead of 'shall' in Rule. The amended version may read as follows: "The Board may, after consultation with the concerned local Biodiversity Management Committee and on collection of such additional information from the applicant and other resources, as it may deem necessary, dispose of the application, as far as possible, within a period of two months from the date of receipt".

**33/2 - The amendment to the Karnataka Biological Diversity Rules, 2005**

The Board requested Secretary (Ecology and Environment) to send Government clarification as requested by the Karnataka Biodiversity Board vide letter dated 30/11/2016.

**33/ 3 – Technical review of Form-I submitted to the Board:**

Deferred to the next Board Meeting.

**33/4 – Dispersal of ABS amount collected by the Board:**

Deferred to the next Board Meeting.

**33/5 – Upfront payment of ABS for High Economic Value bio-resources:**

Board requested the Secretary (Ecology and Environment) and the ACS, (Department of Forest, Ecology and Environment) to direct the Principal Chief Conservator of Forests (HoFF) for suitable action as per Law.

**33/6- Non-Compliance of provisions of the Biological Diversity Act, 2002 and Karnataka Biological Diversity Rules, 2005:**

Deferred for discussion in the next Board Meeting.

**33/7 – Initiating legal action against defaulting companies:**

After detailed deliberations, the Board resolved to initiate legal action against the defaulting companies who fail to comply with the provisions of the Biodiversity Act and Rules. The Board further authorised Member Secretary, Karnataka Biodiversity Board to take further action in this regard.

**33/8 – Decentralizing the Implementation of ABS provisions in the State:**

The Board suggested that the Deputy Conservator of Forests (Territorial) may be empowered under the Biological Diversity Act 2002 for proper implementation of the provisions of the Act. However, the subject needs further discussion and hence it was resolved to examine the issue in the next board meeting.

**33/9- Research proposal by Wildlife Institute of India pending for approval:**

Dr. Ganeshiah informed that, it is not necessary to capture the birds as there is a technology by which DNA of the birds can be isolated from faecal matter or by using the feathers of the bird. In the process of capturing, unintended birds are also caught and casualties do take place. In view if this it is desirable that an alternative technology is used. The suggestion of Dr. Ganeshiah was agreed by the Board and authorised Member Secretary, to intimate the views of the Board to National Biodiversity Authority.

**33/10 - Collection of ABS from manufacturers when traders have sourced bio-resources from outside the State:**

Deferred to the next Board Meeting.



### **33/11 – Research Project:**

Detailed deliberations took place on the subject. The members were of the view that duplication of the work has to be avoided. In view of this, the Board suggested that the Technical Expert Committee should examine and ensure that there is no duplication of work as the letter received from the Registrar of Bangalore University is not sufficient for the purpose. If the committee finds that there is no duplication, then the approval of the project can be given without referring it to the Board again. It was, therefore, resolved to approve the project subject to the condition that the Technical Committee should evaluate and ensure that there is no duplication in the Research work being carried out by the same or any other institute.

### **33/12 – Formation of Expert Committee on Biodiversity Heritage Sites:**

The matter was deliberated in detail and it was resolved to authorise Chairman, Karnataka Biodiversity Board to take decision in this regard and to look into and constitute a committee of experts to advise on the management of Biodiversity Heritage sites.

### **33/13 – National Medicinal Plants Boards project on Medicinal Plants:**

The Board requested PCCF, (HoFF) to fix the responsibility on Chief Conservator of Forests of the circles to complete this project early by utilising the services of Forestry Staff, Field Botanists and Taxonomists. He was also requested to review the project in the monthly meetings of the department. Board also advised that for any revision/review of the project, the matter has to be moved with the sanctioning authority of the project i.e., National Medicinal Plants Board. Terms of Reference for appointing Field Botanist on contract basis was noted by the Board.

### **33/14 – UNEP-GEF-MoEF-ABS project for Strengthening the implementation of the Biological Diversity Act and Rules with focus on its ABS provisions”:**

The Board noted the action taken.

### **33/15 - Continuation of personnel staff of Chairman, Karnataka Biodiversity Board**

The Board did not accept the proposal of continuing the personal staff of Chairman, KBB after 24/1/2017, when the term of present Chairman expires.

### **33/16 – Hyderabad Karnataka reservation under article 371(J)**

The Board noted the action taken.

### **33/17 – Deputation of Readers / Associate Professors and Deputy Director (Ayush)**

The Board after deliberations advised that the Member Secretary, Karnataka Biodiversity Board, may write to the Government through Secretary (Ecology and Environment) to depute suitable Deputy Director (Ayush) and Readers / Associate Professors (Botany and Zoology) against the posts sanctioned to Karnataka Biodiversity Board. The past experience in this regard has been that officers posted to KBB do not find much interest in the work. Hence, it is considered necessary that the concerned Departments/Universities are requested to send a panel of at least three names for each category. A suitable person may be selected by the Board after due Scrutiny. A panel is considered necessary, so that persons with a suitable aptitude only join KBB.

### **33/18 – Appointment of Legal Consultant**

After deliberation the board resolved to take the services at the legal consultant of Forest Department on mutually agreed terms and conditions. However to initiative legal action in a court of law, the Board asked the Member Secretary, KBB to call Expression of Interest for preparing a panel of Advocates who are ready to work for KBB as per the rates sanctioned by the Law Department. The Member Secretary was authorised to take further action in the matter.

### **33/19 – Outsourcing of Technical Executives / Executive Assistant (Admin)**

The Board noted the action taken.

### **33/20 – Extension of Project title “Collection, Conservation and Characterization of Appemidi:**

The Board authorised Chairman, Karnataka Biodiversity Board to extend the project duration, if there is no extra financial implication as per requirement of the project.

### **33/21 – Any other subject with permission of the Board:**

#### **1) Baseline data compilation:**

The Board after detailed deliberations resolved that keeping in view the expertise and experience of Dr.Sanjappa, the payment to be made to him for compilation of Baseline data be raised to Rs.45,000/- for each compilation. Provided all other conditions are satisfied.

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

**Member Secretary**  
**Karnataka Biodiversity Board**

**Chairman**  
**Karnataka Biodiversity Board**