

**Karnataka Biodiversity Board**  
**Proceedings of the 35<sup>th</sup> Board Meeting**  
**Venue: Meeting room, Ground floor, Vanavikas Building,**  
**18<sup>th</sup> Cross, Malleshwaram, Bengaluru – 560 003**

The 35<sup>th</sup> Board meeting was convened at 11.00 AM on 22/08/2017 in the Karnataka Biodiversity Board meeting room, Ground floor, Vanavikas Building, 18<sup>th</sup> Cross, Malleshwaram, Bengaluru– 560 003.

**Members Present:**

Sl. No	Board Members	Designation
1	Sri. P. Ravikumar, IAS, Additional Chief Secretary to Government, Forest, Ecology and Environment Department, MS Building, Bengaluru-560001	Ex-officio Member
2	Sri. Ramachandra, IFS, Secretary to Government, Forest, Ecology and Environment Department, MS Building, Bengaluru-560001	Ex-officio Member
3	Sri. K.S. Sugara, IFS, Principal Chief Conservator of Forests (HoFF), Aranya Bhavan, 18 <sup>th</sup> Cross, Malleshwaram, Bengaluru-560003	Ex-officio Member
4	Dr. Niranjana Murthy, Prof. & Scheme Head, AICRN on Potential Crops, RIOF Bldg., UAS, GKVK, Bengaluru-560065	Non-officio Member
5	Dr. C.G. Kushalappa, Prof. & Dean, Forestry College, Kunda Road, Ponnampet-571216, Kodagu	Non-officio Member
6	Prof. M. Narayana Swamy, M.V.Sc., Ph.D. Prof.& Head, Dept. of Veterinary Physiology, Veterinary College, Hebbal, Bengaluru - 560024	Non-officio Member
7	Dr. Virender Singh, IFS, Member Secretary, Karnataka Biodiversity Board, Ground Floor, Vanavikas, 18 <sup>th</sup> Cross, Malleshwaram, Bengaluru-560003.	Member Secretary

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

Sl. No	Board Members	Designation
1	Sri M. Maheshwar Rao, IAS, Secretary to Government, Agriculture Department, MS Building, Bengaluru-560001	Ex-officio Member
2	The Director, Department of AYUSH, Dhanvantari Road, Ananda Rao Circle, Bengaluru – 560009	Ex-officio Member
3	Dr. M. Mahadev Murthy, Prof. Dept. of Forestry and Environmental Science, University of Agricultural Sciences, GKVK, Bengaluru -65.	Non-officio Member
4	Dr. Jayakar Bandari, M. Asst. Prof and Head, Dept. of Botany, Govt. Arts and Science College, Karwar.	Non-officio Member

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The Member Secretary of the Board welcomed the members to the 35<sup>th</sup> Board meeting and the Additional Chief Secretary, Department of Forest, Ecology and Environment, Govt of Karnataka, chaired the Board meeting.

**35/1: Reading and recording of proceedings of the 34<sup>th</sup> Board meeting:**

The proceedings of the 34<sup>th</sup> Board Meeting, held on 17/04/2016 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.

**35/2 - Action taken on 34<sup>th</sup> Board Meeting Proceedings:**

Action taken on the proceedings of 34<sup>th</sup> Board meeting, as reported in Annexure-II of the agenda, was noted by the Board. The Secretary, FEE, suggested that the agenda points have to be re-numbered and corrected for continuation of the matter in the 35<sup>th</sup> Board meeting as sub-agenda under 35/2. The suggestion was agreed upon and further discussions took place on the following issues.

**35/2/A: Continued subjects from 34<sup>th</sup> Board meeting:**

**1. Proceedings of the meeting of the Expert Panel on ABS held on 27/07/2017:**

The proceedings of the meeting of the Expert Panel on ABS held under the chairpersonship of Dr. Niranjana Murthy, Member of the Board and Prof. & Scheme Head, AICRN on Potential Crops, RIOF Bldg., UAS, Bangalore, and the recommendations were discussed in detail and the Board resolved to advise the Government to recommend to the concerned Licensing authorities to bring about suitable changes in the licensing procedures so as to include the provisions of the Biological Diversity Act, 2002. Since the licensing authorities are the only Departments that can directly control the manufacturing units, the Board resolved that the matter should be dealt with a dual pronged approach, one, to advise the State Government and the other is to file complaints against those companies/entities that do not follow the directions of the Board and for the contravention of the provisions of the section 7 and 24 of the Biological Diversity Act, 2002 and Rule 15 of the Biological Diversity Rules, 2005.

The Board also resolved to invite the Drugs Controller to the Board meetings as an invitee.

The Board also noted the fact that due to the complexity and operational difficulties, ABS agreements were not executed in 2016-17.

**2. ABS money dispersal:**

The Board discussed the matter of dispersal of the ABS amount in detail and since the quantum of money to be dispersed to each BMC and modalities for the utilization of the ABS amount has to be worked out. The Board decided that consultation of the BMC, PBRs of the Taluk and field visits to assess the bio-resources and the quantum of utilization have to be carried out for drafting the modalities for the utilization of the ABS amount dispersed to each BMC. Further, the modalities should also provide for

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the reduction of extraction/ exploitation of bio-resources from natural habitats and promote availability through cultivation. Dr. Niranjana Murthy also suggested that other Government schemes can also be looked into and supplemented with the ABS amount in these BMCs. The expert committee proposed under the chairpersonship of Dr. Narayan Swamy, Member of the Board and Prof. & Head, Dept. of Veterinary Physiology, Veterinary College, Hebbal, Bengaluru, was approved by the Board to draft the modalities of ABS dispersal and utilization by BMCs.

**3. Appointment of advocate for legal services to KBB:**

The Board discussed the matter in detail and reviewed the rate quotation given by the advocate empanelled with the KFDCL, Mr. G.S. Kannur of Kannur and Katti Legal Advocates. The Secretary, FEE, opined that the advocates empanelled with the State Environment Impact Assessment Authority (SEIAA) may be better suited for the services required by the Board. He further stated that the advocates are being paid at the Government sanctioned rates. Therefore, the Board resolved to engage the services of the advocates empanelled with the SEIAA for pursuing litigation.

**4. Recommendation of the Expert committee on BD Act regarding action on defaulting companies:**

The Board discussed the recommendations in detail and resolved that, if the companies/entities continue to ignore the provisions of the Biological Diversity Act, 2002, credible action has to be initiated against such companies/entities by filing a complaint in the concerned jurisdictional courts. The matter regarding the authorised officer for the filing of complaints was also discussed and it was resolved that the jurisdictional Range Forest Officer at the location of the company/entity shall be the authorised officer to file complaints in the matter of non-compliance of the provisions of the Act as per the Gazette notification (S.O.120 (E)) of the Central Government dated 12<sup>th</sup> January 2009.

**4.A. Reconstitution of the Expert Committee on BD Act:**

The Board noted the action taken in the re-constitution of the Expert Committee on BD Act. The proceedings of the meeting, held on 10/08/2017, was reviewed and the Secretary, FEE, opined that a legal expert from the National Law School should be a member of the committee and that providing opportunity of hearing to companies/entities should only be through the issue of a legal notice under the relevant provisions of the Biological Diversity Act, 2002.

**5. Report of the Expert Committee on Decentralization of ABS Implementation:**

The Board reviewed the recommendation of the Expert Committee on Decentralization of ABS Implementation in detail and suggested to reduce the number of members proposed and to nominate the Deputy Conservator of Forests (Territorial) in the district as the Chairperson of the District Level Biodiversity

Committee (DLBC) and the Secretaries of the concerned BMCs, Joint Director of Agriculture, Deputy Director of Horticulture, General Manager-District Industries Centre, District AYUSH Officer shall be the members of the DLBC. The DLBC may invite experts, depending on the requirements, as invitees. It was also resolved to review and revise the points on the Responsibilities, Functions and the Institutional Mechanism of the DLBC proposed by the Expert Committee. It was resolved to authorise Member Secretary to take further action in the matter.

**6. Protection of Traditional Knowledge (TK) documented from five districts of Karnataka:**

The Board discussed the directions received from the National Biodiversity Authority (dated 25/07/2017) in detail and resolved to seal the documented TK as confidential until further orders/directions from the NBA.

**7. ABS Regulations: Letter of the Ex-chairman, Mr.R.M.N. Sahai, IFS (retd.) to ACS, FEE :**

The opinion of the Ex-chairman of the Board, Mr.R.M.N. Sahai, regarding the amendments to the ABS provisions, was discussed in detail. The Board resolved to authorise the Expert Panel on ABS, for recommending suitable changes/ revisions to the provisions of the Biological Diversity Act, 2002 and related notifications, along-with justifications.

**8. Karnataka State Action Plan on Climate Change:**

The Board noted the proceedings of the meeting and authorised the Member Secretary to take further action in the matter.


**9. One day workshop on Implementation of NAGOYA Protocol (National Biodiversity Action Plan).**

The Board discussed the matter in detail and reviewed the estimated budget proposed by the Director of Research, University of Agricultural Sciences. The Board approved the proposal for further action.

**35/3. Issue of MEIS-letter from the Dept. Forest, Ecology and Environment, with directions to discuss the matter in the Board meeting:**

The Board noted the action taken in sending the reply and opinion in the matter regarding the re-instatement of the 5% incentive for the export of Sal, Kokum and Mango products under the Merchandise of exports from India Scheme (MEIS). It was noted that since the matter was referred directly to the Chairperson of the Board, it need not be sent to the Dept. of FEE and that the action taken by the Board is justified.

  
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**35/4. Re-constitution of the IPR Expert Committee:**

The Board resolved that, since matters of Intellectual Property Rights (IPR) fall within the purview of the National Biodiversity Authority and need not be referred to the State Biodiversity Boards for consent, the Expert Committee on IPR may be dissolved. The referrals from the NBA, with regard to access applications/research transfers etc, may be reviewed by the Expert Panel on ABS. The experts from the Panel may be invited based on the subject and requirements of the applications referred by the NBA.

**35/5. Amendment to Rule 3 of the Karnataka Biological Diversity Rules, 2005**

The matter was noted by the Board.


**35/6. Project on 'Survey, Collection and Phenotypic characterization of Wild Banana (Kadu Baale) in humid tropics of Coorg region':**

Dr. C.G. Kushalappa opined that the study is important to survey the populations of wild banana since it is endemic to the region and has many medicinal properties and ornamental value. The members discussed the availability of funds in the Board for research studies and that research should be prioritized based on the requirements of the Board for specialized research in topics that will be useful for the Board in furthering the implementation of the Biological Diversity Act, 2002. It was resolved to re-constitute the Technical Expert Committee, with Dr. Mahadev Murthy, as the Chairperson, Dr. Narayan Swamy, Dr. Kushalappa and Dr. Niranjana Murthy and Dr. Jayakar Bandari, as members, for prioritizing research areas for the Board. This Technical Expert Committee may also be consulted and involved whenever some Conferences/Workshops/ Seminars and exposure visits involving Technical subjects are organized by the Board. It was also resolved to institutionalize the procedure of funding research projects through advertisements (for the expression of interest) on the website of the Board.

Since, the proposed project on wild banana (Kadu Baale) is important and has received the recommendation of the earlier Technical Expert Committee; the project is approved for funding with a cost of Rs.6.59 Lakhs.

No new projects will be sanctioned till the above Technical Expert Committee gives its report. After the acceptance of the report by the Board, new projects can be called for by issuing advertisements.

Further, the Member Secretary informed the Board that, the funding released by the Board for the project proposed by Dr. Jayashankar, Associate Prof., Dept. of Microbiology, Mangalore University, has been recovered and that action may be taken for the recovery of 10% interest (as per UGC norms) for the non-completion of the project.

  
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**35/7. Raising honorarium/ sitting fee for expert committee members:**

The Secretary, FEE, informed the Board that the matter of raising the sitting fee for expert committee members is already under discussion and has been referred to the finance department for review.

**35/8. Biological Diversity Heritage Site Management Rules:**

The Board discussed the matter in detail and resolved that the recommendations by the National Biodiversity Authority for changes in the draft Rules may be incorporated and also since drafting of Rules entails policy and legal issues, support of the Legal Department may be sought.

**35/9. Selection of Field botanists for Medicinal Plant survey:**

The Member Secretary explained to the Board members that the NMPB has agreed to extend the project period upto March 2020, but, without the sanction of additional funds. The Member Secretary also expressed the necessity to revise the project on two counts:

- a. Because of the extension of the project period, budget for completing the project needs increment on account of inflationary pressures.
- b. Revision of the project is also necessary since, at the time of project formulation and approval, works like data entry, data validation or discrepancy cleaning were not accounted for. Also, no funds were allocated for report writing for the 39 Forest divisions.

Since the Karnataka Biodiversity Board, Forest Dept, KAMPA are all stakeholders and co-ordinating agencies in the project, Member Secretary stressed the importance of mutual support in implementing this project.

The ACS, FEE, suggested that a comprehensive proposal may be put up for discussion in the 36<sup>th</sup> Board meeting highlighting the importance of the project for the conservation and sustainable utilization of biological resources.

**35/10. Awareness workshop on Biological Diversity Act, 2002 and its Access and Benefit Sharing Provisions:**

The Board noted the action taken.

**35/11. Intra BMC Exchange visit Programme:**

The Board noted and appreciated the action taken.

**35/12. Broadcasting Radio jingles:**

The Board noted and appreciated the action taken.

**35/13. People's Biodiversity Registers repetition in Annual reports:**

The Board discussed the matter in detail and resolved to issue a corrigendum for the correction of the discrepancies in the list of PBRs reported in the Annual reports (as per Annexure XVIII) and for the 119 Gram Panchayat PBR which were not reported in the Annual Report (as per Annexure XX). Further, it was also resolved that excess expenditure has to be recovered from the concerned.



The procedure of documenting PBRs were also discussed by the members and it was resolved to nominate the Chief Conservator of Forests (CCF) to monitor and review the documentation and validation of the PBRs.

Member Secretary informed the Board that the NBA had objected to the funds being released to the DCF(SF) for the documentation of PBRs and had recommended that the funds to be released to the BMCs directly. The ACS, FEE, opined that the release of funds to DCF(SF) is desirable for accountability.

As per the resolution of the 34<sup>th</sup> Board meeting (res.no. 34/5), the Board had informed the NBA that the amount sanctioned for preparation of PBRs during 2013-14 will be utilized during 2017-18. The matter regarding the directions of the NBA to return the funds released during 2013-14 was discussed and it was resolved to send another request to the NBA for the utilization of funds in the current year.

**35/14. and 35/15: Salary Enhancement of Consultant-ABS, drivers and dalayaths:**

The Board opined that although the matter regarding enhancement of salary of the Consultant-ABS can be considered, the decision could not be taken as the proposal did not have supporting baseline details on existing terms of contract and enhancement required. Members expressed that any salary enhancement proposal should be based on the designation rather than individual. Hence, a concrete proposal with the details on designation of the contractual service, existing salary as per terms of contract and proposed enhancement with justification need to be prepared and can be presented in a special Board meeting which can be called within a short span of time.

**35/16. Outsourcing of employees through Manpower agency:**

The Board noted the action taken.

The meeting was concluded with a vote of thanks to the Chair.

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

  
**Additional Chief Secretary**  
**Department of Forest, Ecology and Environment**

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