



GOVERNMENT OF KERALA

Environment Department

NOTIFICATION*

G. O. (P) No. 1/2008/ENVT.

Dated, Thiruvananthapuram, 10th June, 2008.

S. R. O. No. 602/2008.—In exercise of the powers conferred by section 63 of the Biological Diversity Act, 2002 (Central Act 18 of 2003), the Government of Kerala hereby make the following rules, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Biological Diversity Rules, 2008.

(2) They shall come into force at once.

2. *Definitions.*—In these rules, unless the context otherwise requires,

- (a) “Act” means the Biological Diversity Act, 2002 (Central Act 18 of 2003);
- (b) “Authority” means the National Biodiversity Authority constituted under section 8 of the Act;
- (c) “Board” means the Kerala State Biodiversity Board established under section 22 of the Act;
- (d) “Biodiversity Management Committee” means a Committee constituted by the local bodies under sub-section (1) of section 41 of the Act;
- (e) “Chairperson” means the Chairperson of the Kerala Biodiversity Board;
- (f) “Fee” means any fee prescribed by the Board from time to time;
- (g) “Form” means the Forms set out in the Schedule to these rules;

* Published in the Kerala Gazette Extraordinary No. 1175 dated, 10th June, 2008.

- (h) "Government" means the Government of Kerala;
- (i) "Member" means a member of the Kerala Biodiversity Board and includes the Chairperson thereof;
- (j) "Section" means a section of the Act;
- (k) "Secretary" means the Member Secretary of the Kerala Biodiversity Board;
- (l) "Schedule" means the Schedule appended to these rules;
- (m) "Year" means the financial year commencing on the first day of April;
- (n) "State Biodiversity" means Kerala State Biodiversity;
- (o) Words and expressions used, but not defined in these rules and defined in the Act shall have the meaning respectively assigned to them in the Act.

3. *Manner of Selection and Appointment of the Chairperson*—The Chairperson of the Board shall be appointed by the Government either on deputation from other services or from outside service. The Chairperson shall be an eminent person having adequate knowledge and experience in the conservation and sustainable use of biodiversity and in matters relating to equitable sharing of the benefits. If the appointment is made on deputation, the appointee shall not be below the rank of Secretary to the Government.

4. *Term of Office of the Chairperson*. (1) The Chairperson of the Board shall hold office for a term of three years from the date on which he enters upon his office and shall be eligible for re-appointment:

Provided that no Chairperson shall hold office as such after he has attained the age of 65 years.

(2) The Chairperson may resign from his office by giving at least one month notice to the Government.

5. *Salary, allowances and other conditions of service of the Chairperson*.—(1) The Chairperson shall be entitled to a fixed pay as may be determined by the Government from time to time. In case a retired person is appointed as the Chairperson, his salary and allowances shall be fixed in accordance with the orders of the Government as applicable to such persons.

(2) The Chairperson shall be entitled to such allowance, leave, residential accommodation and other perquisites as may be determined by the Government from time to time.

(3) No pension will ordinarily be attached to the office of the Chairperson or other members of the Board.

6. Appointment, term of office, allowances etc. of the non-official Members.—(1) There shall be five non-official members, from amongst the experts in different fields connected with biodiversity issues and the matters related to conservation of biological diversity, sustainable use of biological resources and equitable sharing of benefits arising out of the use of biological resources, nominated by the Government.

(2) Every non-official member shall hold office for a term not exceeding three years at a time from the date of publication of the notification of his appointment in the official Gazette.

(3) Every non-official member shall be entitled to sitting allowances at the rate of Rs. 500 per day of sitting and travelling allowance, daily allowance and such other allowances as admissible to Class I Officers of the State Government.

7. Filling up of vacancies of non-official Member.—(1) A non-official member of the Board may resign his membership at any time by giving notice in writing under his hand to the Government but shall continue in office until his resignation is accepted by the Government.

(2) Any casual vacancy in the Board shall be filled up by fresh appointment and the person so appointed shall hold office only for the remaining portion of the term of the member in whose place he was appointed.

8. Removal of members of the Board. The Government may remove from the Kerala State Biodiversity Board any member including the Chairman who in its opinion has:

- (a) been adjudged as an insolvent; or
- (b) been convicted of an offence which involves moral turpitude; or
- (c) become physically or mentally incapable of acting as a member; or
- (d) so abused his position as to render his continuance in office detrimental to public interest; or
- (e) acquired such financial or other interest as is likely to affect prejudicially his functions as a member; or
- (f) worked against the interest of the biodiversity of the State.

However, no member of the Board shall be removed on the grounds mentioned above without due and proper enquiry by an officer not below the rank of a Secretary to the Government and without giving him/her an opportunity of being heard.

9. *Appointment of Ex-officio Members.*—The Government shall appoint the following ex-officio members:

- (1) Agriculture Production Commissioner, Agriculture Department.
- (2) Principal Secretary, Fisheries Department.
- (3) Principal Secretary, Forest and Wildlife Department.
- (4) Executive Vice President, Kerala State Council for Science, Technology and Environment.
- (5) Secretary, Environment Department.

10. *Powers and functions of the Member Secretary of the Board.*— (1) There shall be a Member Secretary to the Board, who shall be appointed by the Government.

(2) The Member Secretary shall be responsible for day to day administration of the Board, convening meetings, maintaining the records of proceedings, management of funds and implementation of activities under various programmes, under the guidance of the Chairperson of the Board.

(3) The Member Secretary, either himself/herself or through an officer authorized for the purpose, may sanction and disburse all payments against the approved budget.

(4) The Member Secretary shall have powers for granting administrative and technical sanctions to the estimates included in the approved budget of the Board on the basis of the decision taken by the Board.

(5) The Member Secretary shall be in charge of all confidential papers and records of the Board and shall be responsible for their safe custody. He shall produce such papers whenever so directed by the Board or by the Government.

(6) The Member Secretary shall maintain confidential reports of all officers and staff of the Board. The Member Secretary will be the Reporting Officer and the Chairman the Reviewing Officer.

(7) The Member Secretary shall exercise such powers and perform such other functions as may be delegated to him from time to time by the Board.

(8) The terms and conditions of service of the Member Secretary shall be determined by the Government from time to time.

11. *Meetings of the Board.* (1) The Board shall meet at least four times in a year, with an interval of three months, at the head office of the Board or at such other place as may be decided by the Chairperson.

(2) The Chairperson shall, upon a written request from not less than five members of the Board or upon a direction of the Government, call for a special meeting of the Board.

(3) The meeting shall be called by notice under the signature of the Chairperson or any other officer authorized in his behalf by the Chairperson, who shall cause the notice to be delivered safely to each member of the Board at his last known place of residence or business either through messenger or serving it by registered post or in such other manner as the Chairperson may, in the circumstances of the case, think fit.

(4) The member shall be given at least fifteen days notice for holding an ordinary meeting and three days notice for holding a special meeting, specifying the purpose, the time and venue at which such meeting is to be held.

(5) Every meeting shall be presided over by the Chairperson and in his absence by an officer to be elected by the members present from among themselves.

(6) The decision of the Board at a meeting shall, if necessary, be taken by a simple majority of the members present and voting and the Chairperson or in his absence, the member presiding shall have a second or casting vote.

(7) Each member shall have one vote.

(8) The quorum at every meeting shall be 1/3rd of the total members of the Board. In case of the absence of quorum, the meeting shall be adjourned for half an hour and reconvened.

(9) No member shall be entitled to bring forward for consideration of a meeting any matter of which he has not given ten days' notice in writing unless the Chairperson in his discretion permits him to do so.

12. *Functions of the State Biodiversity Board.*—Without prejudice to the generality of the provisions of this Act, the Board may perform the following particular functions, namely:

(i) lay down the procedure and guidelines to govern the activities under section 23 of the Act;

- (ii) advise the Government, subject to any guidelines issued by the Central Government on any matters relating the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilizations of biological resources;
- (iii) provide technical assistance and guidance to various departments of the Governments;
- (iv) regulate by granting of approvals or otherwise requests for commercial utilization or bio-survey and bio-utilization of any biological resource by any Indian or foreign Nationals/Institutions/Corporate Bodies;
- (v) facilitate updating and implementation of State Biodiversity Strategy and Action Plan;
- (vi) commission studies and sponsor investigation and research;
- (vii) bio-conservation and preservation of unknown potential of every gene in every species of ecosystem;
- (viii) engage consultants for specific periods, not exceeding three years and with a monetary ceiling of Rs. 10 lakhs (Rupees 10 lakhs only) per consultancy, for providing technical assistance to the Board in the effective discharge of its functions, provided that if it is necessary and expedient to engage any consultant beyond three years the Board shall seek prior approval of Government for such engagement.
- (ix) collect, compile and publish technical and statistical data, manuals, codes and guides relating to conservation of biological diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge;
- (x) inventorisation, cataloguing of biodiversity, monitoring the rate of depletion, awareness creation in public, decision makers and planners and initiating scientific, administrative, legal and socio-economic measures for the protection of biodiversity.
- (xi) compile a complete database on the biodiversity resources in the State;
- (xii) development of statewide strategy for implementing biodiversity programmes;
- (xiii) identify the natural habitat of useful biological communities by enlisting the services of the locally available experts;

(xiv) preparation of an exhaustive inventory of the species available in the natural habitat of useful biological communities and take steps to preserve them;

(xv) take steps to build up database and to create information and documentation system for biological resources and associated traditional knowledge through biodiversity registers and electronic database, to ensure effective management, promotions and sustainable uses;

(xvi) to devise methods to ensure protection of rights including intellectual property rights over biological resources and associated knowledge including systems of maintaining confidentiality of such information as appropriate, including the protection of the information recorded in People's Biodiversity Register;

(xvii) ensure that biodiversity and biodiversity-dependent livelihoods are integrated into all sectors of planning and management, and at all levels of planning from local to State, to enable such sectors and administrative levels to contribute effectively for conservation and sustainable use;

(xviii) plan and organize training programmes for personnel engaged or likely to be engaged for programmes in the conservation of biological biodiversity and sustainable use of its components;

(xix) organize through mass media a comprehensive programme regarding conservation of biological diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge;

(xx) setting up sufficient infrastructure and strengthening technology base in biochemistry and biotechnology including molecular systematics;

(xxi) preparation of annual budget of the Board incorporating its own receipts as also devolution from the Central and State Governments and National Biodiversity Authority;

(xxii) recommend creation of posts to the Government for the effective discharge of functions by the Board and to create such posts:

Provided that no such posts, whether permanent, deputation, temporary, provisional, contract or daily wages, shall be created without the prior approval of the Government;

(xxiii) approve the method of recruitment to such posts, which shall be done only with the prior approval of the Government of Kerala;

(xxiv) fix the terms and conditions of services of the employees (including salary and allowances, leave etc.) with the prior approval of the Government of Kerala;

(xxv) Co-ordinate the activities of the Biodiversity Management Committees;

(xxvi) give directions to Biodiversity Management Committees for the effective implementation of the Act and to facilitate their meaningful participation in all measures relating to conservation, sustainable use and equitable benefit sharing;

(xxvii) report to the Government and the National Biodiversity Authority about the functioning of the Board and implementation of the Act;

(xxviii) recommend, prescribe or modify collection fee of biological resources from time to time;

(xxix) sanction grant-in-aid and grants to the Biodiversity Management Committee for the specific purpose;

(xxx) undertake physical inspection of any area within its jurisdiction in connection with the implementation of the Act;

(xxxi) do such other functions as may be directed by the Government from time to time.

13. *Powers and responsibilities of the Chairperson.*— (1) The Chairperson shall ensure that the affairs of the Board are run efficiently and in accordance with the provisions of the Act and the Rules made thereunder.

(2) Apart from the general duties and responsibilities specified in the Act and such other powers and duties that may be devolved by the Government over the management of affairs and finances of the Board, the Chairperson shall have the powers of general superintendence over the officers and staff of the Board and the Chairperson may issue necessary directions for the conduct and management of the affairs of the Board.

(3) All orders or instructions to be issued by the Board shall be under the signature of the Chairperson or any other officer authorized on his behalf by the Board.

(4) The Chairperson shall convene and preside over all meetings of the Board and shall ensure that all decisions of the Board are implemented in proper manner.

(5) The Chairperson shall have powers to delegate any or all specific powers enumerated above for a specific period to the Member Secretary or any other officer of the Board.

(6) The Chairperson shall exercise such other powers and perform such other functions as may be delegated to him from time to time by the Board.

14. *Employees of the Board, conditions of their service etc.*— The board, with the prior approval of the Government of Kerala, may approve the rules and regulations relating to the employees of the Board (including the conditions of their services).

15. *Application and operation of State Biodiversity Fund.*— (1) The State Biodiversity Fund shall be deposited in a Nationalised Commercial Bank as approved by the Board in the name of the Kerala Biodiversity Fund, while the funds received from the State Government shall be deposited in the same name in the Treasury Savings Bank and operate them in accordance with the decision of the Board and such other bye-laws as may be framed.

(2) The State Biodiversity Fund shall be operated by the Member Secretary under his seal and signature or by such other officer of the Board as may be authorized by the Member Secretary of the Board with the approval of the Chairperson in this behalf.

(3) The State Biodiversity Fund shall have separate heads of accounts for receipts from,—

- (i) Central Government,
- (ii) National Biodiversity Authority,
- (iii) State Government, and the other concerning the fee, royalty and such other receipts.

16. *Procedure for access to collection of biological resources for certain purposes.*—(1) Every person, other than a person referred to in sub-section (2) of Section 3 of the Act seeking approval of the Board for access to collection of biological resource for commercial utilization or bio-survey and bio-utilisation for commercial utilization shall make an application in Form I to the Board. Every application shall be accompanied by a fee of Rs. 100 (Rupees One Hundred only) in case such access is for research and academic purpose and Rs. 1,000 (Rupees One Thousand only) for commercial utilization, and shall be in the form of a Demand Draft or a cheque drawn in favour of the Chairperson payable at the head office of the Board. The access to the bioresources shall be as per the guidelines issued by the Board from time to time.

(2) The Board, on due consideration of the application and in consultation with the Biodiversity Management Committee concerned and, after collecting such other additional information, as it may deem necessary, shall take decision on the application as far as possible within a period of 90 days of the receipt of the application.

(3) On being satisfied with the merit of the application, the Board may grant permission, subject to such terms and conditions, as it deems necessary to impose.

(4) The permission shall be in the form of a written agreement signed by the Chairperson or any duly authorized officer of the Board on the one part and the applicant on the other part. The form of agreement shall be prescribed by the Board and shall contain such conditions, as the Board may consider necessary to protect the biological diversity of the country.

(5) The agreement shall provide measures specifically for the conservation, protection and benefit sharing out of the utilization of the biological resources.

(6) The Board shall have the full right to reject any application for good and sufficient reasons, but before rejecting applications it shall give the applicant an opportunity of being heard.

17. *Revocation of Permission.* (1) The Board may, either, *suo-moto* or on the basis of any complaint, withdraw any permission granted or revoke or restrict or modify the written agreement, in the circumstances specified below, namely:—

(a) on the ground of reasonable apprehension that the person to whom the permission was granted has violated any of the provisions of the Act or the conditions on which the permission was granted or he/she has failed to comply with any of the conditions of the written agreement;

(b) in the interest of public cause or for the protection of environment and conservation of biological diversity.

(2) The order revoking or restricting or modifying, as the case may be, shall be made provided that nothing in this rule restricts the right of the Board to pass interim orders to modify or restrict acts permitted by it in the written agreement of approval without giving an opportunity of being heard to the person so affected for the purpose of conserving biological diversity or sustainable use of biological resources.

(3) The Board shall communicate a copy of the order of such withdrawal or revocation, as the case may be, to the Biodiversity Management Committee and the local body concerned for prohibiting the person concerned from utilizing the biological resources and also to assess the damage, if any, caused and to recover the damages.

18. *Annual Report and Annual Statement of Accounts.*—(1) The Board shall prepare its annual report for each year giving detailed accounts of its plan of action, activities, achievements and such other details as it may consider appropriate and necessary and, the annual statement of accounts and submit a copy thereof to the Government.

(2) The accounts of the Board shall be audited by a Chartered Accountant appointed by the Board or the Director of Local Fund Audit. The Accountant General have the powers to conduct audit at any time.

(3) The Board shall submit the annual report together with the audited statement accounts for each year to the Government by the 30th of the month of September so as to enable the Government to lay them before the Legislative Assembly.

19. *Establishment and management of Biodiversity Heritage Sites.*—(1) The Board shall, in consultation with local bodies and other key stakeholders, take necessary steps to facilitate setting up of areas of significant biodiversity values as Heritage Sites. On recommendation from the Board the Government shall issue notification to this effect.

(2) The Board shall frame guidelines for the management and other aspects of Heritage Sites, ensuring the decision-making role for relevant Biodiversity Management Committees.

20. *Constitution of Biodiversity Management Committees.*—(1) Every local body shall constitute a Biodiversity Management Committee (BMC) within its area of jurisdiction. Accordingly, Biodiversity Management Committees are to be constituted at Grama Panchayat level as well as Municipality and Municipal Corporation levels.

(2) The Biodiversity Management Committees constituted under sub-rule (1) shall consist of a Chairperson and not more than six members nominated by the local body, of whom, not less than one third shall be women, one member should belong to Scheduled Caste/Scheduled Tribes. The six persons being so nominated shall include herbalists, agriculturists, Non-timber forest produces collectors/traders, fisher folk, representatives of user associations, community workers, academicians and any person/representative of organization, on whom

the local body trusts that it can significantly contribute to the mandate of the Biodiversity Management Committee. All the above persons should be residents of the local body and their names should be in the voters list.

(3) The local body shall nominate six special invitees from forest, agriculture, animal husbandry, livestock, health, fisheries and education departments.

(4) The Chairperson of the Biodiversity Management Committee shall be Chairperson of the local body and the Secretary of the local body shall be the Member Secretary of the Biodiversity Management Committee, who shall maintain all the records. The Chairperson of the Biodiversity Management Committee shall have casting vote in the case of a tie.

(5) The Member of the Legislative Assembly of the locality and Member of Parliament would be special invitees to the meetings of the Biodiversity Management Committees at different levels.

(6) A technical support group comprising experts in the field of biodiversity drawn from Government agencies, Non Governmental Organizations, academic field, community and individuals shall be established by Biodiversity Board. The expert group shall lend support to Biodiversity Management Committees.

(7) The key mandate of the Biodiversity Management Committees will be to ensure conservation, utilization and equitable sharing of benefits from the biodiversity. The Biodiversity Management Committees shall facilitate the preparation of People's Biodiversity Registers at Grama Panchayat/Municipality/Municipal Corporation levels by the respective Biodiversity Management Committees using the process and the format set by the Board. The Register shall contain comprehensive information on availability and knowledge of local biological resources, their medicinal or any other use or any other traditional knowledge associated with them. The Board shall be responsible for developing a district wide network of People's Biodiversity Registers database. The Biodiversity Management Committees and local bodies will be responsible for ensuring the protection of the knowledge recorded in the People's Biodiversity Registers, especially to regulate its access to outside agencies and individuals.

(8) The other functions of the Biodiversity Management Committees are to advise on any matter referred to it by the State Biodiversity Board or Authority for granting approval, and to maintain data about the local *Vaidyas* and practitioners using biological resources.

(9) The Grama Panchayat level Biodiversity Management Committees shall strive to mainstream biodiversity conservation concerns in the development planning process at local level.

(10) The Board shall provide guidance and technical support to the Biodiversity Management Committees for preparing People's Biodiversity Registers, and shall ensure that all information recorded in such Registers receive legal protection against misuse and appropriation by outside agencies and individuals.

(11) The People's Biodiversity Registers shall be maintained and validated by the Biodiversity Management Committees.

(12) The committee shall also maintain Register giving information about the details of the access to biological resources and traditional knowledge granted, details of the collection fee imposed and details of the benefits derived and the mode of their sharing.

(13) The Biodiversity Management Committees at Grama Panchayat/Municipality/Municipal Corporation levels may decide the terms on which it would permit access to biodiversity resources and associated knowledge to different parties for various purposes within their jurisdiction and levy charges by way of collection fees from any person for accessing or collecting any biological resources for commercial purpose from the area falling within its jurisdiction. 80% of levy charged for the material collected/cultivated from private land should be given to the owner/cultivator of the land/knowledge holder/s and the balance should be deposited in Local Biodiversity Fund of Biodiversity Management Committee. The levy charged for the material collected/cultivated from Government land should be totally deposited in Local Biodiversity Fund of Biodiversity Management Committee.

(14) The Board shall provide guidelines for terms of access and fee collection by the Biodiversity Management Committees.

(15) The Grama Panchayat/Municipality/Municipal Corporation level Biodiversity Management Committees shall prepare a Biodiversity Management Plan using output from People's Biodiversity Register and in consultation with the Board, and will be responsible for or participate in its implementation.

(16) The local bodies shall ensure that the Biodiversity Management Committees are integrated with the functioning of existing local institutions by cross membership, regular co-ordination meetings, and other such measures, as determined by the local bodies or as specified by the Board.

(17) Other functions of the Biodiversity Management Committees are to advise on any matter referred to it by the State Biodiversity Board or Authority for granting approval, to maintain data about the local *Vaidyas* and practitioners using the biological resources.

21. *Utilization of Local Biodiversity Fund.*—(1) The Local Biodiversity Fund shall be utilized strictly in accordance with the provisions of sub-sections (1) and (2) of section 44 of the Act and the fund shall be used for conservation and promotion of biodiversity in areas falling within the jurisdiction of the concerned local body and for the benefit of the community so far such use is consistent with the conservation of biodiversity.

(2) The Fund shall be deposited in a Nationalized Commercial Bank approved by the Biodiversity Management Committee concerned and it shall be operated by the Chairperson of the Committee under his/her seal and signature or any other officer of the Biodiversity Management Committee as may be authorized by the Chairperson in this behalf.

22. *Annual Reports and Annual Statement of Accounts of Biodiversity Management Committee.*—(1) The Biodiversity Management Committee shall prepare the Annual Report for each year giving detailed accounts of its activities. The Annual Report shall invariably contain:

- (a) the name of the Committee;
- (b) the period to which the report relates;
- (c) the incumbency of office for the period;
- (d) detailed statement of programmes of action for the year;
- (e) detailed report on the activities performed during the year; and
- (f) a brief account of financial position of the Committee.

(2) The accounts of the Local Biodiversity Fund shall be audited by a Chartered Accountant or the Examiner of Local Fund Audit, as stated in Rule 18 (2).

(3) The Biodiversity Management Committee shall submit the annual report together with the audited statement of accounts to the local body concerned by the 30th of the month of September, to enable the Local Body to submit it to the Board.

23. *Removal of doubts.*—If any doubt arises as to the interpretation of any of the provisions of these rules, the matter shall be referred to the Government, whose decision thereon shall be final.

By order of the Governor,

C. K. VISWANATHAN,
Secretary

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Sub-section (1) of section 63 of the Biological Diversity Act, 2002 (No. 18 of 2003), empowers the State Government to frame State Biological Diversity Rule for the enforcement of the Act. Accordingly in exercise of the powers the State Government has framed the Kerala Biological Diversity Rule, 2008.

The notification is intended to achieve the above objects.

SCHEDULE

FORM I

(See Rule 16)

APPLICATION FORM FOR ACCESS TO OR COLLECTION OF BIOLOGICAL
RESOURCES FOR COMMERCIAL UTILIZATION AND ASSOCIATED
TRADITIONAL KNOWLEDGE

PART A

1. Full particulars of the applicant:
 - (i) Name:
 - (ii) Permanent address:
 - (iii) Address of the contact person/agent, if any, in India:
 - (iv) Profile of the organization (personal profile in case the applicant is an individual). Please attach relevant documents of authentication:
 - (v) Nature of business:
 - (vi) Turnover of the organization in rupees:
2. Details and specific information about nature of access sought and biological material and/or associated knowledge to be accessed:
 - (i) Identification (scientific name) of biological resources and its traditional use:
 - (ii) Geographical location (including Grama panchayat, Janpad and District) of proposed collection:
 - (iii) Description/nature of traditional knowledge and its existing manifestations and uses (oral/documentated):
 - (iv) Any identified individual/family/community holding the traditional knowledge:
 - (v) Quantity of biological resources to be collected:
 - (vi) Time span in which the biological resources are proposed to be collected:
 - (vii) Name the number of persons authorized by the company for making the selection:

- (viii) The purpose for which the access is requested including the type and extends of research, commercial use being derived and expected to be derived from it;
- (ix) Whether any collection or use of the resource endangers any component of biological diversity and the risks, which may arise from the access:
3. Estimation of benefits that would flow to communities arising out of the use of accessed bioresarches and traditional knowledge;
 4. Proposed mechanism and arrangements for benefit sharing;
 5. Any other relevant information:

PART B

DECLARATION

I/We declare that the collection and use of the proposed biological resources shall not:

- Adversely affect the sustainability of the resources;
- Entail any environmental impact;
- Pose any risk to biodiversity, including ecosystems, species and genetic diversity;
- Adversely affect the local communities.

I/We undertake to pay any fee and/or royalty, as may be levied by the Board or Biodiversity Management Committees. I/We further undertake to furnish any irrevocable bank guarantee, as may be prescribed by the Board.

I/We further declare the information provided in the application form is true and correct and I/We shall be responsible for the accuracy.

Signature of the Applicant

Place :

Name of the Applicant

Date :
