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The Biological Diversity Rules, 2004

i;kZoj.k vkSj ou ea=ky;

vf/klwpuk

ubZ fnYyh] 15 vizSy] 2004

lk-dk-fu- 261 ¼v½-&dsUnzh; ljdkj] tSofofo/krk vf/kfu;e] 2002 dh /kkjk 62 }kjk iznRr 'kfDr;ksa dk iz;ksx djrs gq;s vkSj jk"Vªh; tSo fofo/krk izkf/kdj.k ¼v/;{k vkSj vU; lnL;ksa ds osru] HkRrs vkSj lsok dh 'krsZa½ fu;e] 2003 dks mu ckrksa ds flok; vf/kØkar djrs gq;s] ftUgsa ,sls vf/kØe.k ls igys fd;k x;k gS ;k djus dk yksi fd;k x;k gS] fUkEufyf[kr fu;e cukrh gS] vFkkZr~ %&

1- laf{kIr uke vkSj izkjaHk %&

¼1½bu fu;eksa dk laf{kIr uke tSo fofo/krk fu;e] 2004 gSA

¼2½ ;s 15 vizSy] 2004 dks izo`Rr gksaxsA

2- ifjHkk"kk;sa %&

bu fu;eksa esa tc rc fd lanHkZ ls vU;Fkk visf{kr u gks]&

¼d½^^vf/kfu;e^^ ls tSo fofo/krk vf/kfu;e] 2002 ¼2003 dk 18½ vfHkizsr gS(

¼[k½^^izkf/kdj.k^^ ls /kkjk 8 dh mi/kkjk ¼1½ ds v/khu LFkkfir jk"Vªh; tSo fofo/krk izkf/kdj.k vfHkizsr gS(

¼x½^^tSo fofo/krk izca/k lfefr^^ ls LFkkuh; fudk; }kjk /kkjk 4 dh mi/kkjk ¼1½ ds v/khu LFkkfir dksbZ tSo fofo/krk izca/k lfefr vfHkizsr gS(

¼?k½^^v/;{k^^ ls ;FkkfLFkfr jk"Vªh; tSo fofo/krk izkf/kdj.k ;k jkT; tSo fofo/krk cksMZ dk v/;{k vfHkizsr gS(

¼³½^^Qhl^^ ls vuqlwph esa fu;r dksbZ Qhl vfHkizsr gS(

¼Pk½^^izk:i^^ ls bu fu;eksa ls mikc) izk:Ik vfHkizsr gS(

¼N½^^lnL;^^ ls ;FkkfLFkfr jk"Vªh; tSo fofo/krk izkf/kdj.k ;k jkT; tSo fofo/krk cksMZ dk lnL; vfHkizsr gS(vkSj ftlds varxZRk v/;{k Hkh gS(

¼t½^^/kkjk^^ ls vf/kfu;e dh /kkjk vfHkizsr gS(

¼>½^^lfpo^^ ls izkf/kdj.k dk iw.kZdkfyd lfpo vfHkizsr gS(

¼¥½,sls 'kCnksa vkSj inksa ds ftudk iz;ksx fd;k x;k gS] fdUrq os bu fu;eksa esa ifjHkkf"kr ugha gS vkSj vf/kfu;e esa ifjHkkf"kr gS] ogh vFkZ gS tks vf/kfu;e esa gSaA

3- v/;{k ds p;u vkSj fu;qfDr dh jhfr %&

¼1½izkf/kdj.k ds v/;{k dh fu;qfDr dsUnzh; ljdkj }kjk dh tk;sxhA

¼2½ mi/kkjk ¼1½ ds v/khu v/;{k dh izR;sd fu;qfDr dsUnzh; ljdkj ls ckgj ls izfrfu;qfDr ds vk/kkj ij ;k p;u }kjk dh tk;sxhA izfrfu;qfDr ds ek/;e ls fu;qfDr dh n'kk esa vkosnd Hkkjr ljdkj ds vij lfpo ls uhps dh iafDr dk ugha gksuk pkfg;sA

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 15th April 2004

G.S.R. 261(E) - In exercise of the powers conferred by Section 62 of the Biological Diversity Act, 2002, and in super session of the National Biodiversity Authority (salary, allowances and conditions of service of Chairperson and other Members) Rules, 2003, except as respect to things done or omitted to be done before super session, the Central Government hereby makes the following rules namely: -

1. Short title and commencement

(1) These rules maybe called the Biological Diversity Rules, 2004.

(2) Thus shall come into force on 15th April, 2004.

2. Definitions

In these rules, unless the context otherwise requires,

(a) “Act” means the Biological Diversity Act 2002 (18 of 2003);

(b) “Authority” means the National Biodiversity Authority established under sub-section (1) of Section 8;

(c) “Biodiversity Management Committee” means a Biodiversity Management Committee established by a local body under subsection (1) of Section 41;

(d) “Chairperson” means the chairperson of the National Biodiversity Authority or as the case maybe, of the State Biodiversity Board;

(e) “fee” means any fee stipulated in the schedule;

(f) “Form” means from annexed to these rules;

(g) “Member” means a member of the National Biodiversity Authority or a State Biodiversity Board and includes the chairperson as the case may be;

(h) “section” means a section of the Act;

(i) “Secretary” means the full time Secretary of the Authority;

(j) 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

(1) The Chairperson of the Authority shall be appointed by the Central Government.

(2) Every appointment of Chairperson under sub-section (1) shall be made either on deputation basis or by selection from outside the Central Government. In case the appointment is through deputation, the applicant should not be below the rank of Additional Secretary to the Government of India.

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4- v/;{k dh inkof/k %&

¼1½ izkf/kdj.k dk v/;{k rhu o"kZ dh vof/k ds fy;s in /kkj.k djsxk vkSj iquZfu;qfDr ds fy;s ik= gksxkA

¼2½ijUrq dksbZ v/;{k 65 Ok"kZ dh vk;q izkIr djus ij ;k mldh inkof/k dh lekfIr ds Ik'pkr~] tks Hkh iwoZrj gks] in /kkj.k ugha djsxkA

¼3½v/;{k dsUnzh; ljdkj dks de ls de ,d ekl dh lwpuk nsdj vius in ls R;kxi= ns ldsxkA

5- v/;{k dk osru vkSj HkRrs %&

¼1½ v/;{k 26]000 : izfrekg ds fu;r osru dk gdnkj gksxkA fdlh lsokfuo`Rr O;fDr dh v/;{k ds :Ik esa fu;qfDr dh n'kk esa] mldk osru ml O;fDr dks ykxw dsUnzh; ljdkj ds vkns'kksa ds vuqlkj fu;r fd;k tk;sxkA

¼2½v/;{k ,sls HkRrksa] NqVVh] isa'ku] Hkfo"; fuf/k] vkokl vkSj vU; ifjyfC/;ksa vkfn dk gdnkj gksxk tks dsUnzh; ldjkj }kjk le;≤ ij fofuf'pr dh tk;saA

6- xSj&ljdkjh lnL;ksa dh inkof/k vkSj HkRrs %&

¼1½izkf/kdj.k dk izR;sd xSj ljdkjh lnL; jkti= esa mldh fu;qfDr ds izdk'ku dh rkjh[k ls ,d le; esa rhu o"kZ ls vuf/kd dh vof/k ds fy;s viuk in /kkj.k djsxkA

¼2½izkf/kdj.k dh cSBd esa mifLFkr gksus okys izR;sd xSj ljdkjh lnL; ,sls cSBd HkRrk] ;k=k HkRrk] nSfud HkRrk vkSj ,sls vU; HkRrksa dk gdnkj gksxk tks dsUnzh; ljdkj ds vk;ksxksa vkSj lfefr;ksa ds xSj ljdkjh lnL;ksa dks ,sls vk;ksxksa ;k lfefr;ksa ds vf/kos'kuksa esa mifLFkr gksus ds fy;s ykxw gSaA

7- xSj ljdkjh lnL;ksa dh fjfDr;ksa dk Hkjk tkuk %&

¼1½izkf/kdj.k dk dksbZ xSj ljdkjh lnL; fdlh Hkh le; fyf[kr esa vius gLrk{kj ls dsUnh; ljdkj dks lacksf/kr djds vius in ls R;kxi= ns ldsxk vkSj izkf/kdj.k esa ml lnL; dk LFkku fjDr gks tk;sxkA

¼2½izkf/kdj.k esa fdlh xSj ljdkjh lnL; dh vkdfLed fjfDr u;s uke funsZ'ku }kjk Hkjh tk;sxh vkSj fjfDr dks Hkjus ds fy;s uke fufnZ"V O;fDr bl in dks ml lnL; dh] ftlds LFkku ij mls uke funsZ'ku fd;k x;k gS] 'ks"k inkof/k rd /kkj.k djsxkA

8- izkf/kdj.k ds lnL; dk gVk;k tkuk %&

izkf/kdj.k ds fdlh lnL; dks] /kkjk 11 esa fofufnZ"V fdlh vk/kkj ij fdlh ,sls vf/kdkjh }kjk] tks dsUnzh; ljdkj }kjk fu;qfDr Hkkjr ljdkj ds lfpo ls uhps ds jsad dk u gks] lE;d~ vkSj mfpr tkap djk;s fcuk vkSj ,sls lnL; dks lquokbZ dk ;qfDr;qDr volj fn;s fcuk mlds in ls gVk;k ugha tk;sxkA

9- izkf/kdj.k dk lfpo %&

¼1½izkf/kdj.k vius fy;s ,d lfpo dh fu;qfDr djsxkA

¼2½lfpo dh fu;qfDr ds fuca/ku vkSj 'krsZa izkf/kdj.k }kjk fofu;e }kjk vo/kkfjr dh tk;sxhA

The Biological Diversity Rules, 2004

4. Term of Office of the Chairperson

(1) The chairperson of the Authority shall hold the office for a term of three years' and shall be eligible for re-appointment.

(2) Provided that no Chairperson shall hold office as such after he attains the age of sixty-five years or his term of office expires which is earlier.

(3) The Chairperson may resign form his office by giving at least one month notice in writing to the Central Government.

5. Pay and Allowances of Chairperson

(1) A chairperson shall be entitled to a fixed pay of Rs. 26000/- per month. In case of retired person is appointed as Chairperson, his pay shall be fixed in accordance with the orders of the Central Government as applicable to such persons.

(2) A Chairperson shall be entitled to such allowances, leave, pension, provident fund, house and other perquisites, etc. to be decided by the Central Government from time to time.

6. Term of Office and Allowances of non-official Members

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

(2) Every non-official member attending the meeting of the Authority shall be entitled to sitting allowance, traveling expenses, daily allowance and such other allowances as are applicable to non-official member of commissions and committees of the Central Government attending the meeting(s) of such Commissions or Committees.

7. Filling up vacancies of non-official members

(1) A non-official member of the Authority may resign his office at any time by giving in writing under his hand addressed to the Central government and the seat of that member in the Authority shall become vacant.

(2) A casual vacancy of a non-official member in the Authority shall be filled up by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term of the member in whose place he was nominated.

8. Removal of the members of the Authority

No member of the Authority shall be removed from his office on any ground specified in section 11, without a due and proper enquiry by an officer not below the rank of a Secretary to the Government of India appointed by the Central government and without giving such member a reasonable opportunity of being heard.

9. Secretary of the Authority

(1) The Authority shall appoint a Secretary to it.

(2) The terms and conditions of the appointment of the Secretary shall be determined by the Authority by regulation.

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¼3½lfpo izkf/kdj.k ds vf/kos'kuksa dk leUo;u vkSj vf/kos'ku cqykus vkSj izkf/kdj.k ds deZpkfj;ksa dk vfHkys[k j[kus vkSj ,sls vU; fo"k;ksa] tks mls izkf/kdj.k }kjk lkSais tk;sa] ds fy;s mRrjnk;h gksxkA

10-izkf/kdj.k ds vf/kos'ku %&

¼1½izkf/kdj.k ds vf/kos'ku rhl ekl dh vof/k ds i'pkr~ ,d o"kZ esa de ls de pkj ckj izkf/kdj.k ds eq[;ky; ij ;k ,sls LFkku ij] tks v/;{k }kjk fofuf'pr fd;k tk;s] vk;ksftr fd;s tk;saxsA

¼2½ v/;{k izkf/kdj.k ds de ls de ikap lnL;ksa ds fyf[kr vuqjks/k ij ;k dsUnzh; ljdkj ds funsZ'k ij izkf/kdj.k dh fo'ks"k cSBd cqyk ldsxkA

¼3½lnL;ksa dks dksbZ lkekU; vf/kos'ku vk;ksftr djus ds fy;s de ls de 15 fnu dh lwpuk dh tk;sxh vkSj fo'ks"k vf/kos'ku cqykus ds mn~ns';] le; o LFkku ftl ij ,slk vf/kos'ku vk;ksftr fd;k tk;sxk] fofufnZ"V djrs le; le; ls de rhu fnu dh lwpuk nh tk;sxhA

¼4½izR;sd vf/kos'ku dh v/;{krk] v/;{k }kjk dh tk;sxh vkSj mldh vuqifLFkfr esa mifLFkr lnL;ksa }kjk vius esa ls pqus x;s fdlh ihBklhu vf/kdkjh }kjk dh tk;sxhA

¼5½izkf/kdj.k ds fdlh vf/kos'ku esa fofu'p;] ;fn vko';d gks] mifLFkr vkSj er nsus okys lnL;ksa ds lk/kkj.k cgqer ls fd;k tk;sxk vkSj v/;{k ;k mldh vuqifLFkfr esa v/;{krk djus okys lnL; dk f}rh; ;k fu.kkZ;d er gksxkA

¼6½izR;sd lnL; dk ,d er gksxkA

¼7½izkf/kdj.k ds izR;sd vf/kos'ku esa x.kiwfrZ ikap gksxhA

¼8½dksbZ lnL; fdlh vf/kos'ku esa ,sls fdlh fo"k; ij] ftlesa mls nl fnu dh lwpuk ugha nh xbZ gS] vf/kos'ku ij fopkj djus ds fy;s vxzlfjr ugha gksxk tc rd fd mls ,slk djus ds fy;s v/;{k Lofoosd ls ,slk djus ds fy;s vuqKkr u djsaA

¼9½vf/kos'ku dh lwpuk lnL;ksa ls laokgd }kjk ifjnRr djds ;k bls mlds vafre fuokl ;k dkjksckj ds Kkr LFkku ij jftLVªhd`r Mkd }kjk Hkstdj ;k ,slh vU; jhfr esa ftls ekeys dh ifjfLFkfr;ksa esa izkf/kdj.k dk lfpo Bhd le>sa] nh tk ldsxhA

11- izkf/kdj.k }kjk fo'ks"kK lfefr dh fu;qfDr vkSj mudh gdnkjh %&

¼1½izkf/kdj.k ,sls iz;kstuksa ds fy;s] ftUgsa og Bhd le>sa] mruh la[;k esa lfefr;kWa xfBr dj ldsxk tks iw.kZr% lnL;ksa dk iw.kZr% vU; O;fDr;ksa ;k va'kr% lnL;ksa dk va'kr% vU; O;fDr;ksa ls feydj cusxhA

¼2½izkf/kdj.k ds lnL;ksa ls fHkUu lfefr ds lnL;ksa }kjk vf/kos'ku esa mifLFkr gksus ds fy;s ,slh Qhl vkSj HkRrksa dk lank; fd;k tk;sxk tks izkf/kdj.k Bhd le>sA

12-izkf/kdj.k ds lk/kkj.k d`R; %&

izkf/kdj.k fuEufyf[kr d`R;ksa dk ikyu dj ldsxk] vFkkZr~ %&

(i) /kkjk 3] /kkjk 4 vkSj /kkjk 6 ds v/khu micaf/kr fØ;kdykikas dks 'kkflr djus ds fy;s izfØ;k vkSj ekxZn'kZd fl)kar vf/kdfFkr djuk(

(3) The Secretary shall be responsible for coordinating and convening the meetings of the Authority, maintenance of the records of the proceedings of the Authority and such other matters as may be assigned to him by the Authori

10. Meetings of the Authority

(1) The Authority shall meet at least four times in a year normally after a period of three months at the Head quarters of the Authority or at such place as may be decided by the Chairperson.

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

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

(4) Every meeting shall be presided over by the Chairperson and in his absence, by a presiding officer to be elected by the members present from amongst themselves.

(5) The decision of the Authority 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.

(6) Each member shall have one vote.

(7) The quorum at every meeting of the Authority shall be five.

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

(9) Notice of the meeting or sending it by registered post to his last known place of residence or business or in such other manner as the Secretary of the Authority may, in the circumstances of the case, think fit.

11 Appointment of Expert Committee by the Authority and their entitlements

(1) the Authority may constitute any number of Committees for such purposes as it may deem fit consisting wholly of members or wholly of other persons or partly of members or partly of other persons.

(2) The members of the Committee other than the members of the Authority shall be paid such fees and allowances for attending the meetings as the Authority may deem fit.

12. General functions of the Authority

The Authority may perform the following functions, namely:

(i) lay down the procedure and guidelines to govern the activities provided under sections 3, 4, and 6;

(ii) dsUnzh; ljdkj ds tSo fofo/krk ds laj{k.k vkSj mlds la?kVdkas dks iks"k.kh; mi;ksx rFkk tSfod L=ksrksa vkSj Kku ds mi;ksx ls mn~Hkwr Qk;nksa ds mfpr vkSj lkE;kiw.kZ izHkktu ls lacaf/kr fo"k;ksa ds laca/k esa lykg nsuk(

(iii) jkT; tSo fofo/krk cksMksZa ds fØ;kdykiksa dks lefUor djuk(

(iv) jkT; tSo fofo/krk cksMksZa dks rduhdh lgk;rk vkSj ekxZn'kZu miyC/k djkuk(

(v) v/;;u vkjaHk djuk vkSj vUos"k.k rFkk vuqla/kku izk;ksftr djuk(

(vi) izkf/kdj.k dks mlds d`R;kas ds izHkkoh fuoZgu esa rduhdh lgk;rk miyC/k djkus ds fy;s rhu o"kZ ls vuf/kd dh fofufnZ"V vof/k ds fy;s ijke'kZnkrkvksa dks yxkuk(

ijarq ;g fd ;fn rhu o"kZ ls vf/kd dh vof/k ds fy;s fdlh ijke'kZnkrk dks yxkuk vko';d vkSj lehphu gS rks izkf/kdj.k ,sls yxk;s tkus ds fy;s dsUnzh; ljdkj dk iqokZuqeksnu ekaxsxkA

(vii) tSo fofo/krk laj{k.k] mlds la?kVdksa ds iks"k.kh; mi;ksx vkSj tSoh; lalk/kuksa vkSj Kku vkSj mi;ksx ls mn~Hkwr Qk;nksa ds mfpr vkSj lkE;kiw.kZ izHkktu ls lacaf/kr rduhdh vkSj lkaf[;dh; vkadM+s vkSj eSuqvy] lafgrk;sa ;k xkbMsa lax`ghr] ladfyr vkSj izdkf'kr djukA

(viii) tSo fofo/krk laj{k.k] mlds la?kVdkas ds iks"k.kh; mi;ksx vkSj tSoh; lalk/kuksa vkSj Kku vkSj mi;ksx ls mn~Hkwr Qk;nksa ds mfpr vkSj lkE;kiw.kZ izHkktu ls lacaf/kr tu izpkj }kjk ,d o`gr~ dk;ZØe vk;ksftr djuk(

(ix) tSo fofo/krk laj{k.k vkSj mlds la?kVdksa ds iks"k.kh; mi;ksx ds fy;s dk;ZØeksa esa yxs ;k yxk;s x;s ;k yxk;s tkus okys dkfeZdksa ds fy;s ;kstuk vkSj izf'k{k.k vk;ksftr djuk(

(x) izkf/kdj.k dk mldh jlhnksa vkSj dsUnzh; ljdkj ls mlds voewY;u dks Hkh lekfo"V djrs gq;s okf"kZd ctV rS;kj djuk ijarq ;g fd dsUnzh; ljdkj }kjk vkoaVu dsUnzh; ljdkj }kjk vuqeksfnr cTkV mica/kksa ds vuqlkj izpkfyr fd;k tk;sxkA

(xi) izkf/kdj.k ds d`R;ksa dk izHkkoh :Ik ls fuoZgu djus ds fy;s dsUnzh; ljdkj dks inks ads l`tu djus dh flQkfj'k djuk ijarq ,slk in pkgs LFkk;h@vLFkk;h gks ;k fdlh Hkh izd`fr dk gks] dsUnzh; ljdkj ds iwokZUkqeksnu ds fcuk l`ftr ugha fd;k tk;sxkA

(xii) izkf/kdkfj;ksa ds vf/kdkfj;ksa vkSj lsodksa dh HkrhZ dh i)fr dk vuqeksnu djuk(

(xiii) izHkkoh izca/ku] lao/kZu vkSj iks"k.kh; mi;ksxksa dks lqfuf'pr djus ds fy;s tSo fofo/krk jftLVj vkSj bySDVªkfud MkVk csl ds ek/;e ls tSoh; lalk/kuksa vkSj lgc) ikjaifjd Kku ds fy;s MkVk csl cukus vkSj tkudkjh rFkk nLrkost i)fr l`ftr djus ds fy;s dne mBkuk(

(xiv) jkT; tSo fofo/krk cksMksZa vkSj tSo fofo/krk izca/k lfefr;ksa dks vf/kfu;e ds izHkkoh dk;kZUo;u ds fy;s fyf[kr esa funsZ'k nsuk(

(xv) izkf/kdj.k ds dk;Zdj.k vkSj vf/kfu;e ds dk;kZUo;u ds ckjs esa dsUnzh; ljdkj dks fjiksVZ nsuk(

(ii) advise the Central Government on any matter concerning conservation of biodiversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge;

(iii) coordinate the activities of the State Bio-diversity Boards;

(iv) provide technical assistance and guidance to the State bio-diversity Boards;

(v) commission studies and sponsor investigation and research;

(vi) engage consultants, for a specific period, not exceeding three years, for providing technical assistance to the Authority in the effective discharge of its functions;

Provided that if it is necessary and expedient to engage any consultant beyond the period of three years, the Authority shall seek prior approval of the Central Government for such an engagement;

(vii) collect, compile and publish technical and statistical data, manuals, codes or guides relating to conservation of bio-diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resource and knowledge;

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

(ix) plan and organize training or personnel engaged or likely to be engaged in programmes for the conservation of bio-diversity and sustainable use of its components;

(x) prepare the annual Budget of the Authority incorporating its own receipts as also the devaluation from the Central Government provided that the allocation by the Central government shall be operated in accordance with the budget provisions approved by the Central Government;

(xi) recommend creation of posts to the Central Government, for effective discharge of the functions by the Authority and to create such posts, provided that no such post whether permanent/temporary or of any nature, would be created without prior approval of the Central Government;

(xii) approve the method of recruitment to the officers and servants of the Authority;

(xiii) take steps to build up data base and to create information and documentation system for biological resources and associated traditional knowledge through bio-diversity registers and electronics databases to ensure effective management, promotion and sustainable uses;

(xiv) give directions to State Bio-diversity Boards and the Bio-diversity Management Committees in writing for effective implementation of the Act;

(xv) report to the Central Government about the functioning of the Authority and implementation of the Act;

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(xvi) le;≤ ij tSoh; lalk/kuksa dh ckor /kkjk 6 dh mi/kkjk ¼1½ ds v/khu Qhl ;k /kkjk 19 dh mi/kkjk ¼3½ ds v/khu LokfeRoksa ds izHkkjkas ds Qk;ns ds izHkktu dh flQkfj'k] mikarfjr vkSj lax`ghr djuk(

(xvii) fofufnZ"V iz;kstuksa ds fy;s jkT; tSo fofo/krk cksMZ vkSj tSo fofo/krk izca/k lfefr;kas ds fy;s vuqnku lgk;rk vkSj vuqnku eatwj djuk(

(xviii) vf/kfu;e ds dk;kZUo;u ds laca/k esa fdlh {ks= dk okLrfod fujh{k.k djukA

(xix) Hkkjr ls ckgj fdlh ns'k esa fdlh tSoh; laLFkku vkSj fdlh voS/k jhfr esa Hkkjr ls vfHkizkIr Kku ds laca/k esa ckSf)d laink vf/kdkj vuqnRr fd;s tkus dk fojks/k djus ds fy;s fof/k fo'ks"kKksa dh fu;qfDr ds fy;s vko';d mik; djuk(

(xx) ,sls vU; d`R; djuk tks le;≤ ij dsUnzh; ljdkj }kjk lkSais tk;sa ;k funsf'kr fd;s tk;saA

13- v/;{k dh 'kfDr;ka vkSj dRRkZO; %&

¼1½v/;{k dk izkf/kdj.k ds fnu&izfrfnu ds fØ;kdykiksa ij laiw.kZ fu;a=.k gksxkA

¼2½ /kkjk 10 ds mica/kksa ds v/khu jgrs gq;s v/;{k dks izkf/kdj.k ds vf/kdkjh vkSj deZpkjho`na ds Åij lk/kkj.k v/kh{k.k dh 'kfDr;ka gksaxh vkSj og izkf/kdj.k ds dk;ksZa ds lapkyu vkSj izca/k ds fy;s vko';d funsZ'k tkjh dj ldsxkA

¼3½v/;{k izkf/kdj.k ds lHkh xksiuh; dkxtksa vkSj vfHkys[kkas dk Hkkjlk/kd gksxk vkSj mudh lqjf{kr vfHkj{kk ds fy;s mRRkjnk;h gksxkA

¼4½izkf/kdj.k }kjk tkjh fd;s tkus okys lHkh vkns'k vkSj vuqns'k v/;{k ;k bl fufeRRk mlds }kjk izkf/kd`r fdlh vf/kdkjh ds gLrk{kj ds v/khu gksaxsA

¼5½v/;{k ;k rks Lo;a bl iz;kstu ds fy;s izkf/kd`r izkf/kdj.k ds fdlh vf/kdkjh ds ek/;e ls vuqeksfnr cTkV ds lHkh lank;ksa dks eatwjh vkSj laforfjr dj ldsxkA

¼6½v/;{k dks lHkh izkDdyuksa dh iz'kklfud vkSj rduhdh eatwjh vuqnRr ds fy;s iw.kZ 'kfDr;ka gksaxhA

¼7½v/;{k izkf/kdj.k ds lHkh vf/kos'kuksa dks cqyk,xk vkSj mudks vf/klwfpr djsxk vkSj ;g lqfuf'pr djsxk fd izkf/kdj.k }kjk fd;s x;s lHkh fofu'p; leqfpr jhfr esa dk;kZfUor fd;s x;s gSaA

¼8½v/;{k ,slh vU; 'kfDr;ksa dk iz;ksx vkSj ,sls vU; d`R;ksa dk ikyu djsxk tks le;≤ ij izkf/kdj.k }kjk dsUnzh; ljdkj }kjk mls izR;k;ksftr fd;s tk;saA

14- tSoh; lalk/kuksa vkSj lgc) ikjaifjd Kku ds izfr igqap ds fy;s izfØ;k %&

¼1½ vuqla/kku ;k okf.kfT;d mi;ksx ds fy;s tSoh; lalk/kuksa vkSj lgc) Kku ds izfr igqap j[kus ds fy;s izkf/kdj.k dk vuqeksnu pkgus okyk dksbZ O;fDr izk:Ik 1 esa dksbZ vkosnu djsxkA

¼2½mifu;e ¼1½ ds v/khu izR;sd vkosnu ds lkFk izkf/kdj.k ds i{k esa pSd ;k eakxi= ds :Ik esa 10]000 :- dh Qhl gksxhA

(xvi) recommend, modify, collection of benefit sharing fee under sub section (1) of Section 6 or Changes of royalties under sub-section (2) of section 19 in respect of biological resources form time to time;

(xvii) sanction grants-in-aid and grants to the State Bio-diversity Board and Biodiversity Management Committees for specific purposes;

(xviii) undertake physical inspection of any area in connection with the implementation of the Act;

(xix) take necessary measures including appointment of legal experts to oppose grant of intellectual property right in any country outside India on any biological resource and associated knowledge obtained from India in al illegal manner;

(xx) do such other functions as may be assigned or directed by the Central Government from time to time.

13. Powers and duties of Chairperson

(1) The Chairperson shall have the overall control of the day-to-day activities of the Authority.

(2) Subject to the provisions of Section 10, the Chairperson shall have the powers of general superintendence over the officers and staff of the Authority and he may issue necessary directions for the conduct and management of the affairs of the Authority.

(3) The Chairperson shall be in charge of all the confidential papers and records of the Authority and shall be responsible for their safe custody.

(4) All orders and instructions to be issued by the Authority shall be under the signature of the Chairperson or of any other officer authorized by the Chairperson in this behalf.

(5) The Chairperson, either himself or through an officer of the authority authorized for the purpose, may sanction and disburse all payments against the approved budget.

(6) The Chairperson shall have full powers for granting administrative and technical sanction to all estimates.

(7) The Chairperson shall convene and preside over all the meetings of the Authority and shall ensure that all decisions taken by the Authority are implemented in proper manner.

(8) The Chairperson shall exercise such other powers and perform such other functions as may be delegated to him from time to time by the Authority or the Central Government.

14. Procedure for access to biological resources and associated traditional knowledge

(1) Any person seeking approval of the Authority for access to biological resources and associated knowledge for research or for commercial utilization shall make an application in

Form 1.

(2) Every application under sub-rule (1) shall be accompanied by a fee of ten thousand rupees in the form of a cheque or demand draft drawn in favour of the Authority.

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¼3½izkf/kdj.k vkosnd ds lac) LFkkuh; fudk; ls ijke'kZ djus vkSj ,slh dksbZ tkudkjh lax`ghr djus ds Ik'pkr] tks vko';d le>h tk;s] vkosnu dk ;Fkk'kD; 'kh?kz mldh izkfIr ls N% ekl dh vof/k ds Hkhrj fuiVkjk djsxkA

¼4½izkf/kdj.k vkosnu ds xq.kkxq.k dk lek/kku djus ds Ik'pkr~ tSoh; lalk/kuksa vkSj lgc) Kku ds izfr igqap dk vuqeksnu ,sls fuca/kuksa vkSj 'krksZa ds v/khu jgrs gq;s ftUgsa og vf/kjksfir djus ds fy;s Bhd le>s] vuqnRr dj ldsxkA

¼5½igaqp ds laca/k esa vuqeksnu izkf/kdj.k ds izkf/kd`r vf/kdkjh vkSj vkosnd }kjk lE;d~ :Ik ls gLrk{kfjr fyf[kr djkj ds iz:Ik esa gksxkA

¼6½ mifu;e ¼5½ esa fufnZ"V djkj dk iz:Ik izkf/kdj.k }kjk vf/kdfFkr fd;k tk,xk vkSj mlds varxZRk fuEufyf[kr gksxk] vFkkZr~ %&

(i) lk/kkj.k mn~ns'; vkSj vuqeksnu pkgus ds fy, vkosnu dk iz;kstu(

(ii) tSoh; lalk/kuksa vkSj ikjaifjd Kku dk o.kZu ftlds varxZRk layXu tkudkjh Hkh gS(

(iii) tSoh; lalk/ku ¼vuqla/kku] iztuu] okf.kfT;d mi;ksx vkfn½ ds vk'kf;r mi;ksx(

(iv) os 'krsZ] ftuds v/khu vkosnd ckSf)d lainh vf/kdkj pkgrk gS(

(v) ekSfnzd vkSj vU; vkuq"kafxd Qk;nksa vkSj vU; vkuq"kafxd Qk;nkas dh ek=k] ;fn vko';d gks] fof'kf"Vr;k ;fn tSoh; lkexzh vuqla/kku iz;kstuksa ds fy, yh xbZ gS vkSj ckn esa mldk okf.kfT;d iz;kstuksa ds fy, mi;ksx fd;k tkuk gS vkSj mlds Ik'pkr~orhZ mi;ksx ds laca/k esa fdlh vU; ifjorZu dh n'kk eas Hkh izfrc)rk ds fy, dksbZ u;k djkj djuk(

(vi) fdlh r`rh; i{kdkj dks igqap izkIr tSo fofo/krk izkf/kdj.k ds iwoZ vuqeksnu ds fcuk lalk/kuksa vkSj ikjaifjd Kku dks varfjr djus ls fucZfU/kr djuk(

(vii) tSoh; lalk/kuksa dh ek=k vkSj DokfyVh ds fofunsZ'k ds laca/k esa] ftlds fy, vkosnd igqap pkgrk gS] izkf/kdj.k }kjk fu;r dh xbZ lhek dk vuqikyu djuk(

(viii) /kkjk 39 esa igpku fd, x, fu{ksiksa ds lkFk igqap pkgus ds fy, tSoh; lkexzh ds fdlh funsZ'k uewus dk fu{ksi djus ds fy, izR;kHkwfr(

(ix) izkf/kdj.k dks vuqla/kku vkSj vU; fodklksa dh fu;fer izkfLFkfr fjiksVZ izLrqr djuk(

(x) vf/kfu;e ds mica/kksa vkSj vU; fodklksa dh fu;e rFkk ns'k esa izo`Rr vU; lacaf/kr fo/kkuksa dk vuqikyu djus ds fy, izfrc)rk(

(xi) igaqp izkIr tSoh; lalk/kuksa ds laj{k.k vkSj iks"k.kh; mi;ksx ds fy, mik;ksa dks lqyHk cukus ds fy, izfrc)rk(

(xii) laxzg.k djus ds fy, fØ;kdykikas ds Ik;kZoj.kh; izHkko dks U;wure djus ds fy, izfrc)rk(

(xiii) djkj dh vof/k] djku ds ifjlekiu dh lwpuk] O;fDrxr [kaMksa dh Lora= izorZuh;rk] ml lhek rd mica/k dk Qk;nk] izHkktu [kaMksa esa ck/;rk ls djku dk ifjlekiu] ?kVuk] lhekadu] nkf;Ro ¼izkd`frd vkinka,½] ek/;LFke] dksbZ xksiuh;rk [kaM cuk jgrk gS tSls fof/kd mica/kA

(3) The Authority shall after consultation with the concerned local bodies and collecting such additional information from the applicant and other sources, as it may deem necessary, dispose of the application, as far as possible, within a period of six months from the date of its receipts.

(4) On being satisfied with the merit of the application, the Authority may grant the approval for access to biological resources and associated knowledge subject to such term and conditions as it may deem fit to impose.

(5) The approval to access shall be in the form of a written agreement duly signed by the authorized officer of the Authority and the applicant.

(6) The form of the agreement referred to in sub-rule (5) shall be laid down by the Authority and shall include the following; namely:

(i) general objectives and purpose of the application for seeking approval;

(ii) description of the biological resources and traditional knowledge including accompanying information;

(iii) intended uses of the biological resources (research, breeding, commercial utilization etc.);

(iv) conditions under which the applicant may seek intellectual property rights;

(v) quantum of monetary and other incidental benefits. If need be, a commitment to enter into a fresh agreement particularly in case if the biological material is taken for research purposes, and also in case of any other change in use thereof subsequently;

(vi) restriction to transfer the accessed biological resources and the traditional knowledge to any third party without prior approval of Authority;

(vii) to adhere to a limit set by the Authority on the quantity and specification of the quality of the biological resources for which the applicant is seeking access;

(viii) guarantee to deposit a reference sample of the biological material sought to be accessed with the repositories identified in Section 39; (ix) submitting to the Authority a regular status report of research and other developments;

(x) commitment to abide with the provisions of Act and rules and other related legislations in force in the country;

(xi) commitment to facilitate measures for conservation and sustainable use of biological resources accessed;

(xii) commitment to minimize environmental impacts of collecting activities;

(xiii) legal provisions such as duration of the agreement, notice to terminated the agreement, independent enforceability of individual clauses, provision to the extent that obligations in benefit sharing clauses survive the termination of the agreement, events limiting liability (natural calamities), arbitration, any confidentiality clause.

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¼7½ igqap ds fy, 'krsZ fofufnZ"V :Ik ls mu tSoh; lalk/kuksa] ftuds fy, igaqp vuqnRr dh tk jgh gS] ds ifjj{k.k vkSj laj{k.k ds fy, mik;ksa dk fofufnZ"V :Ik ls mica/k dj ldsxhA

¼8½ izkf/kdj.k ys[kc) fd, tkus okys dkj.kkas ls fdlh vkosnu dks ukeatwj dj ldsxk ;fn og ;g le>rk gS fd vuqjks/k ij fopkj ugha fd;k tk ldrkA

¼9½dksbZ vkosnu rc rd ukeatwj ugha fd;k tk,xk tc rd fd vkosnd dks lquokbZ dk ;qfDr;qDr volj u fn;k x;k gksA

¼10½izkf/kdj.k vuqnRr vuqeksnuksa dks eqnz.k ;k bysDVªkfud ehfM;k ds ek/;e ls O;kid izpkj djus ds fy, dne mBk,xk vkSj vkof/kd :Ik ls mu 'krksZa dk] ftu ij vuqeksnu eatwj fd;k x;k Fkk] vuqikyu ekuhVj djasxsA

15- igqap ;k vuqeksnu dk izfrlagj.k %&

¼1½izkf/kdj.k fdlh 'kfDr;kas ds vk/kkj ij ;k Loizsj.kk ls fu;e 15 ds v/khu igqap ds fy, vuqnRRk vuqeksnu dks okil ys ldsxk vkSj fuEufyf[kr 'krksZa ds v/khu fyf[kr vk/kkj dks izfrlaâr dj ldsxk] vFkkZr~ %&

(i) ;qfDr;qDr fo'okl ds vk/kkj ij fd ml O;fDRk us ftls vuqeksnd vuqnRr fd;k x;k Fkk vf/kfu;e ds fdUgha mica/k vuqnRr fd;k x;k Fkk] dk

mYya?ku fd;k gS(

(ii) Okg O;fDr ftls vuqeksnu vuqnRr fd;k x;k gS] djkj ds fuca/kuksa dk vuqikyu djus esa vlQy jgk gS(

(iii) vuqnRr igaqpksa dh 'krksZa esa ls fdlh dk vuqikyu djus esa vlQy jgus ij((iv) yksdfgr ;k Ik;kZoj.k laj{k.k ;k tSo fofo/krk ifjj{k.k dk vfrla?ku djus ij(

¼2½ izkf/kdj.k igqap dks izfrf"k) djus vkSj uqdlku dk fu/kkZj.k djus ds fy, Hkh] ;fn dksbZ gks] vkSj uqdlku dks iwjk djus ds fy, fd, x, dneksa ds laca/k esa mlds }kjk izfrlagj.k ds izR;sd vkns'k dh ,d izfr vkSj lac) jkT; tSo fofo/krk cksMZ vkSj tSo fofo/krk izca/k lfefr;ksa dks HkstsxkA

16- tSo lalk/kuksa ds izfr igqap ls lacaf/kr fØ;kdykiksa ij fucZU/ku %&

¼1½izkf/kdj.k ;fn vko';d vkSj leqfpr le>s rks tSo lalk/kuksa ds izfr igqap ds vuqjks/k dk fucZfU/kr ;k izfrf"k) djus ds fy, fuEufyf[kr dkj.kkas ls dne mBk,xk] vFkkZr~ %&

(i) igqap ds fy, vuqjks/k fdlh ladVkiUu VSDlk Hkh gS(

(ii) igqap ds fy, vuqjks/k fdlh LFkkfud vkSj fojy tkfr;ksa ds laca/k esa(

(iii) igaqp ds fy, vuqjks/k ls LFkkuh; O;fDr;ksa dh thfodk ij izfrdwy izHkko iM+us dh laHkkouk gS(

(iv) igqap ds fy, vuqjks/k ls izfrdwy Ik;kZoj.k izHkko iM+us dk ifj.kke gks ldsxk ftlls fu;a=.k vkSj mldk mi'keu fd;k tkuk dfBu gks ldsxk(

(v) igqap ds fy, vuqjks/k ls vkuqoaf'kd {kj.k gks ldsxk ;k izkfLFkfrd d`R; izHkkfor gks ldsaxs(

(vi) iz;kstuksa ds fy, L+=ksrksa dk mi;ksx jk"Vªh; fgr ds vkSj Hkkjr }kjk fd, x, vU; lacaf/kr varjkZ"Vªh; djkjksa ds izfrdwy gSA

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(7) The conditions for access may specifically provide measures for conservation and protection of biological resources to which the access is being granted.

(8) The Authority may for reasons to be recorded in writing reject as application it considers that the request cannot be acceded to.

(9) No application shall be rejected unless the applicant is given a reasonable opportunity of being heard.

(10) The Authority shall take steps to widely publicize the approvals granted, through print or electronic media and shall periodically monitor compliance of conditions on which the approval was accorded.

15. Revocation of access or approval

(1) The Authority may either on the basis of any complaint or *suo moto* withdraw the approval granted for access under rule 15 and revoke the written agreement under the following conditions, namely:

(i) on the basis of reasonable belief that the person to whom the approval was granted has violated any of the provisions of the Act or the condition on which the approval was granted;

(ii) when the person who has been granted approval has failed to comply with the terms of the agreement;

(iii) on failure to comply with any of the conditions of access granted;

(iv) on account of overriding public interest or for protection of environment and conservation of biological diversity.

(2) The Authority shall send a copy of every order of revocation issued by it to the concerned State Biodiversity Board and the Biodiversity Management Committees for prohibiting the access and also to assess the damage, if any caused and take steps to recover the damage.

16. Restriction on activities related to ces

(1) The Authority if it deems necessary and appropriate shall take the steps to restrict or prohibit the request for access to biological resources for the following reasons; namely:

(i) the request for access is for any endangered taxa;

(ii) the request for access is for any endemic and rare species;

(iii) the request for access may likely to result in adverse effect on the livelihoods of the local people;

(iv) the request to access may result in adverse environmental impact which may be difficult to control and mitigate;

(v) the request for access may cause genetic erosion or affecting the ecosystem function;

(vi) use of resources for purposes contrary to national interest and other related international agreements entered into by India.

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17- lalk/ku ds ifj.kkeksa dks varj.k djus ds fy, vuqeksnu pkgus ds fy, izfØ;k%&

¼1½ Hkkjr ls vfHkizkIr tSo lalk/kuksa ls lacaf/kr lalk/ku ds ifj.kkeksa dks dksbZ O;fDr fdlh fons'k jkf"Vªd daiuh vkSj vfuoklh Hkkjrh; dks ekSfnzd izfrQy djus ds fy, varj.k djus dk bPNqd gS rks og izkf/kdj.k dks iz:Ik 2 esa vkosnu djsxkA

¼2½mifu;e ¼1½ ds v/khu izR;sd vkosnu ds lkFk izkf/kdj.k ds i{k esa ns; cSad Mªk¶V ;k pSd ds :Ik ikap gtkj :Ik, dh Qhl yxh gksxhA

¼3½ mifu;e ¼1½ ds v/khu izR;sd vkosnu ij izkf/kdj.k }kjk fofuf'pr mlds izkIr gksus dh rkjh[k ls ;Fkk'kD; 'kh?kz rhu ekl dh vof/k ds Hkhrj fd;k tk,xkA

¼4½;fn lek/kku gks tkus ij fd vkosnd us lHkh vis{kkvksa dks iwjk fd;k gS] izkf/kdj.k vuqla/kku ds ifj.kkeksa dks varj.k djus ds fy, vuqeksnu ,sls fuca/kuksa vkSj 'krksZa ds v/;/khu gS ftUgsa og izR;sd ekeys esa vf/kjksfir djuk Bhd le>rk gS] vuqnRRk dj ldsxkA

¼5½varj.k dk vuqeksnu izkf/kdj.k ds fdlh izkf/kd`r vf/kdkjh vkSj vkosnd }kjk lE;d~ :Ik ls gLrk{kfjr fyf[kr djkj ds izk:Ik esa vuqnRr fd;k tk,xk ,slk djkj dk izk:Ik og gksxk tks izkf/kdj.k }kjk fofuf'pr fd;k tk,A

¼6½izkf/kdj.k ys[kc) fd, tkus okys dkj.kksa ls fdlh vkosnd dks] ;fn og le>rk gS fd vkosnu vuqKkr ugha fd;k tk ldrk] ukeatwj dj ldsxk(

ijarq vkosnu rc rd ukeatwj ugha fd;k tk,xk tc rd fd vkosnd dks lquokbZ dk ;qfDr;qDr volj u fn;k x;k gksA

18- ckSf)d laink laj{k.k ds fy, vkosnu djus ls iwoZ iwokZuqeksnu pkgus dh izfØ;k%&

¼1½dksbZ O;fDr tks tSo lkexzh ds laca/k esa vuqla/kku ds vk/kkj ij Hkkjr ls vfHkizkIr Kku ds vk/kkj ij fdlh isVsaV ;k fdlh vU; ckSf)d laink ds fy, vkosnu djus dk bPNqd gS og iz:Ik 3 esa vkosnu djsxkA

¼2½ mifu;e ¼1½ ds v/khu izR;sd vkosnu ds lkFk ikap lkS :Ik, dh Qhl gksxhA

¼3½izkf/kdj.k vkosnu dk lE;d~ :Ik ls ewY;kadu djus ds Ik'pkr~ vkSj dksbZ vfrfjDr tkudkjh lax`ghr djus ds Ik'pkr~ xq.kkxq.k ds vk/kkj ij mldh izkfIr ls ;FkklaHko 'kh?kz rhu ekl dh vof/k ds Hkhrj vkosnu dk fofu'p; djsxkA

¼4½;g lek/kku gks tkus ij vkosnd us lHkh vko';d vis{kkvksa dks iwjk fd;k gS] izkf/kdj.k fdlh isVsaV ;k fdlh vU; ckSf)d laink vf/kdkj ds fy, fd, x, vkosnu dk vuqeksnu dk vuqeksnu ,sls fuca/ku vkSj 'krksZa ij ftls og izR;sd ekeys esa vf/kjksfir djuk Bhd le>s] vuqnRRk dj ldsxkA

¼5½vuqeksnu izkf/kdj.k ds fdlh izkf/kd`r vf/kdkjh ;k vkosnd }kjk lE;d~ :Ik ls gLrk{kfjr fdlh fyf[kr djkj ds iz:Ik esa vuqnRr fd;k tk;sxkA djkj ds izk:Ik dk fofu'p; izkf/kdj.k }kjk fd;k tk ldsxkA

¼6½ izkf/kdj.k dkj.kksa dks vfHkfyf[kr djrs gq;s vkosnu dks eatwj dj ldsxkA ;fn og ;g le>rk gS fd vuqjks/k Lohdkj ugha fd;k tk ldrkA ukeatwjh vkns'k ikfjr djus ls iwoZ vkosnd dks lquokbZ dk volj fn; tk,xkA

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17. Procedure for seeking approval for transferring results of research

(1) Any person desirous of transferring results of research relating to biological resources obtained from India for monetary consideration to foreign nationals, companies and Non Resident Indians (NRIs), shall make an application to the Authority in the

Form II.

(2) Every application under sub-rule (i) shall be accompanied by a fee of five thousand rupees in the form of a Bank draft or Cheque drawn in favour of the Authority.

(3) Every application under sub-rule (i) shall be decided upon by the Authority as far as [possible within a period of three months from the receipt of the same.

(4) On being satisfied that the applicant has fulfilled all the requirements, the Authority may grant the approval for transferring the results of research subject to such terms and conditions as it may deem fit to impose in each case.

(5) The approval for transfer shall be granted in the form of a written agreement duly signed by an authorized officer of the Authority and the applicant. The form of the agreement shall be such as may be decided by the Authority.

(6) The Authority may for reasons to be recorded in writing reject an application if it considers that the application cannot be allowed;

Provided that the application shall be rejected unless the applicant has been given a reasonable opportunity of being heard.

18. Procedure for seeking prior approval before applying for intellectual property protection

(1) Any person desirous of applying for a patent or any other intellectual property based on research on biological material and knowledge obtained from India shall make an application Form III.

(2) Every application under sub-rule (1) shall be accompanied by paying a fee of five hundred rupees.

(3) The Authority after due appraisal of the application and after collecting any additional information, on the basis of merit shall decide on the application, as far as possible within a period of three months or receipt of the same.

(4) On being satisfied that the applicant has fulfilled all the necessary requirements, the Authority may grant approval for applying for a patent or any other IPR subject to such terms and conditions as it may deem fit to impose in each case.

(5) The approval shall be granted in the form of a written agreement duly signed by an authorized officer of the Authority and the applicant. The form of the agreement may be decided by the Authority.

(6) The Authority may reject the application if it considers that the request cannot be acceded to after recording the reasons. Before passing order of rejection, the applicant shall be given an opportunity of hearing.

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19- /kkjk 20 dh mi/kkjk ¼2½ ds v/khu rhljs i{kdkj dks varj.k ds fy, izfØ;k&

¼1½,slk dksbZ O;fDr ftls tSo lalk/kukas vkSj lgc) Kku ds izfr igqap ds fy, vuqeksnu vuqnRr fd;k x;k gS] igqap izkIr tSo lalk/ku ;k Kku dks fdlh vU; O;fDr ;k laxBu dks varj.k djus dk vk'k; j[krk gS rks og izkf/kdj.k dks izk:Ik 4 esa vkosnu djsxkA

¼2½mifu;e ¼1½ ds v/khu izR;sd vkosnu ds lkFk izkf/kdj.k ds i{k esa ns; cSad M^ak¶V ;k pSd ds :Ik esa nl gtkj :Ik, dh Qhl yxh gksxhA

¼3½izkf/kdj.k dksbZ vfrfjDr tkudkjh lax`ghr djus ds Ik'pkr~ mlds izkIr gksus ds ;Fkk'kD; 'kh?kz N% ekl dh vof/k ds Hkhrj vkosnu djsxkA

¼4½;fn lek/kku gks tkus ij fd vkosnd us lHkh vis{kkvksa dks iwjk fd;k gS] izkf/kdj.k vuqla/kku ds ifj.kkeksa dks varj.k djus ds fy, vuqeksnu ,sls fuca/kuksa vkSj 'krksZa ds v/;/khu gS ftUgsa og izR;sd ekeys esa vf/kjksfir djuk Bhd le>rk gS] vuqnRr dj ldsxkA

¼5½vuqeksnu izkf/kdj.k ds fdlh izkf/kd`r vf/kdkjh ;k vkosnd }kjk lE;d~ :Ik ls gLrk{kfjr mifu;e ¼4½ ds v/khu fdlh fyf[kr djkj ds izk:Ik esa vuqnRr fd;k tk,xkA djkj ds izk:Ik dk fofu'p; izkf/kdj.k }kjk fd;k tk ldsxkA

¼6½ izkf/kdj.k vfHkys[k fd, tkus okys dkj.kksa ls vkosnu dks ukeatwj dj ldsxk ;fn og ;g le>rk gS fd vuqjks/k Lohdkj ugha fd;k tk ldrk] dksbZ vkosnu rc rd ukeatwj ugha fd;k tk,xk tc rd vkosnd dks lquokbZ dk ;qfDr;qDr volj u fn;k x;k gksA

20- lkE;iw.kZ Qk;ns izHkktu ds fy, ekunaM ¼/kkjk 21½%&

¼1½izkf/kdkj.k jkti= esa vf/klwpuk }kjk ekunaM cuk ldsxk vkSj Qk;ns izHkktu lw= of.kZr dj ldsxkA

¼2½ekxZn'kZd fl)karksa esa ekSfnzd vkSj vU; Qk;nksa tSls LokfeRo] la;qDr] m|e] izkS|ksfxdh varj.k] mRikn fodkl] f'k{kk vkSj tkx:drk c<+kus okys fØ;kdyki] laLFkkxr {kerk fuekZ.k djus vkSj oSapj iwath fof/k dk mica/k djasxsA

¼3½ Qk;nksa izHkktu ds fy, lw= dk vo/kkj.k ekeys nj ekeys vk/kkj ij fd;k tk,xkA

¼4½Ikzkf/kdj.k fdlh O;fDr dks igqap ds fy, ;k vuqla/kku ds ifj.kkeksa ds varj.k ds fy, ;k isVsaV vkSj ckSf)d laink vf/kdkjksa ds fy, ;k igqap izkIr tSo lalk/kukas vkSj lEc) Kku dk rhljs i{k dks varj.k ds fy, dksbZ vuqeksnu vuqnRr djrs le; igqap izkIr tSo lkexzh vkSj lEc) Kku ds mi;ksx ls mn~Hkwr Qk;nkas dk lkE;iw.kZ izHkktu lqfuf'pr djus ds fy, fuca/ku vkSj 'krsZa vf/kjksfir dj ldsxkA

¼5½Qk;nksa dh ek=k ,sls vuqeksnu djus okykas ds fy, vkosnu djus okys O;fDr;ksa vkSj izkf/kdj.k ds chp vkilh djkj ls LFkkuh; fudk;ksa vkSj Qk;nk nkosnkjkas ds ijke'kZ ls vkil esa djkj ik, tk,axs vkSj mudk fofu'p; ifjHkkf"kr igqap ekinaMksa] mi;ksx ds foLrkj] iks"k.kh; igyw] izHkko vkSj izR;kf'kr fu"d"kZ Lrj] ftlds varxZr tSo fofo/krk ds laj{k.k vkSj iks"k.kh; mi;ksx dks lqfuf'pr djus ds mik; Hkh gS] dks lE;d~ /;ku esa fy;k tk,xkA

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19. Procedure for third party transfer under sub-section (2) of Section 20 (1) The persons who have been granted approval for access to biological resources and associated knowledge, intend to transfer the accessed biological resource or knowledge to any other person or organization shall make an application to the Authority in From IV.

(2) Every application under sub-rule (1) shall be accompanied by a fee of ten thousand rupees in the form of Bank draft or cheque drawn in favour of the Authority.

(3) The Authority shall after collecting any additional information, decide upon the application as far as possible within a period of six months of receipt of the same.

(4) On being satisfied that the applicant has fulfilled all the necessary requirements, the Authority may grant approval for third party transfer subject to such terms and conditions it may deem fit to impose in each case.

(5) The approval as may be granted under sub-rule (4) in the form of a written agreement duly signed by an authorized officer of the Authority and the applicant. The form of the agreement shall be such as may be decided by the Authority.

(6) The Authority may for reasons to be recorded in writing reject the application if it considers that the request cannot be acceded to, provided that no application shall be rejected unless the applicant has been given an opportunity of being heard.

20. Criteria for equitable benefit sharing (Section 21)

(1) The Authority shall by notification in the Official Gazette formulate the guidelines and describe the benefit sharing formula.

(2) The guidelines shall provide for monetary and other benefits such as royalty, joint ventures, technology transfer, product development, education and awareness raising activities, institutional capacity building and venture capital fund.

(3) The formula for benefit sharing shall be determined on a case-by-case basis.

(4) The Authority while granting approval to any person for access or for transfer of results of research or applying for patent and IPR or for third party transfer of the accessed biological resource and associated knowledge may impose terms and conditions for ensuring equitable

sharing of the benefits arising out of the use of accessed biological material and associated knowledge.

(5) The quantum of benefits shall be mutually agreed upon between the persons applying for such approval and the Authority in consultation with the local bodies and benefit claimers and may be decided in due regard to the defined parameters of access, the extent of use, the sustainability aspect, impact and expected outcome levels, including measures ensuring conservation and sustainable use of biological diversity.

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¼7½ izkf/kdj.k ;g vuq/;kr djsxk fd Qk;ns tSo fofo/krk ds laj{k.k vkSj iks"k.kh; mi;ksx dks lqfuf'pr djasxsA

¼8½tgkWa tSo lalk/kukas ;k Kku dh igqap fdlh fof'k"V O;fDr ;k O;fDr;ksa dk lewg ;k laxBu ls gS] vFkok izkf/kdj.k ;g lqfuf'pr djus ds fy, dne mBk ldsxk fd djkj ik, jde dk lank; ftyk iz'kklu ds ek/;e ls mUgsa lh/ks gh fd;k x;k gSA tgka ,sls O;fDr ;k O;fDr;ksa ds lewg ;k laxBuksa dh igpku ugha dh tk ldrh ogkWa ekSfnzd Qk;ns jk"Vªh; tSo fofo/krk fuf/k esa fu{ksfir fd, tk;saxsA

¼9½ ;FkkfLFkfr izkf/kdj.k ;k cksMZ ds fy, iz'kklfud vkSj lsok izHkkjkas ds e/; fu/kkZfjr Qk;nksa dk ikap izfr'kr vafdr fd;k tk,xkA

¼10½izkf/kdj.k mifu;e ¼4½ esa ;Fkk vo/kkfjr Qk;ns ds izHkkj dks mlds }kjk vo/kkfjr jhfr esa ekuhVj djsxkA

21- jk"Vªh; tSo fofo/krk fuf/k ds fy, vkosnu %&

¼1½ jk"Vªh; tSo fofo/krk fuf/k dk izpkyu izkf/kdj.k ds v/;{k ;k izkf/kdj.k ds ,sls vU; vf/kdkjh }kjk] ftls og bl fufeRr izkf/kd`r djs] fd;k tk,xkA

¼2½ jk"Vªh; tSo fofo/krk fuf/k ds nks i`Fkd] ys[kk'kh"kZ gksaxs ,d dsUnzh; ljdkj ls jlhnksa ds laca/k esa vkSj nwljk izkf/kdj.k dh Qhl] vuqKfIr Qhl] LokfeRo vkSj vU; jlhnksa ls lacaf/kr gksxkA

22- tSo fofo/krk izca/k lfefr;ksa dk xBu %&

¼1½ izR;sd LFkkuh; fudk; viuh vf/kdkfjrk ds Hkhrj tSo fofo/krk izca/k lfefr dk xBu djsxkA

¼2½ mifu;e ¼1½ ds v/khu ;Fkk xfBr tSo fofo/krk izca/k lfefr ,d v/;{k vkSj LFkkuh; fudk; }kjk ukefufnZ"V N% ls vuf/kd O;fDr;ksa ls feydj cusxh ftuesa ls ,d frgkbZ ls vU;wu efgyk,a vkSj 18 izfr'kr ls vU;wu vuqlwfpr tkfr@vuqlwfpr tutkfr ds gksus pkfg,A

¼3½ tSo fofo/krk izca/k lfefr dk v/;{k LFkkuh; fudk; ds v/;{k }kjk v/;{krk dh tkus okyh fdlh vf/kos'ku esa lfefr ds lnL;ksa esa ls fuokZfpr fd;k tk,xkA LFkkuh; fudk; ds v/;{k dks fu.kkZ;d er dk vf/kdkj gksxkA

¼4½tSo fofo/krk izca/k lfefr esa v/;{k dh dkykof/k rhu o"kZ gksxhA

¼5½fo/kkulHkk@fo/kku ifj"kn~ ds LFkkuh; lnL; vkSj laln lnL; lfefr ds vf/kos'kuksa eas fo'ks"k vkeaf=r gksaxsA

¼6½tSo fofo/krk izca/k lfefr ds eq[; d`R; LFkkuh; O;fDr;ksa ds ijke'kZ ls O;fDr;ksa dk tSo fofo/krk jftLVj rS;kj djuk gSA jftLVj esa LFkkuh; tSo lalk/kuksa] muds fpfdRlh; ;k vU; mi;ksx ;k muls lgc) dksbZ vU; ikjaifjd Kku dh miyC/krk vkSj Kku ds laca/k esa O;kid tkudkjh varfoZ"V gksxhA

(6) Depending upon each case, the Authority shall stipulate the time frame for assessing benefit sharing on short, medium, and long term benefits.

(7) The Authority shall stipulate that benefits shall ensure conservation and sustainable use of biological diversity.

(8) Where biological resources or knowledge is accessed form a specific individual or a group of individuals or organizations, the Authority may take steps to ensure that the agreed amount is paid directly to them through the district administration. Where such individuals or group of individuals or organizations cannot be identified, the monetary benefits shall be deposited in the National Biodiversity Fund.

(9) Five percent of the assessed benefits shall be earmarked for the Authority or Board as the case may be, towards the administrative and service charges.

(10) The Authority shall monitor the flow of benefits as determined under sub rule (4) in a manner determined by it.

21. Application of National Biodiversity Fund

(1) The National Biodiversity Fund shall be operated by the Chairperson or by such other officer of the Authority as may be authorized in this regard. (2) The National Biodiversity Fund shall have two separate heads of accounts, one relating to the receipts from the Central Government and the other concerning the fee, license fee, royalty and other receipts of the Authority.

22. Constitution of Biodiversity Management Committees

(1) Every local body shall constitute a Biodiveristy Management Committee (BMC's within it's area of jurisdiction.

(2) The Biodiversity Management Committee as constituted under sub-rule (1) shall consist of a Chairperson and not more than six persons nominated by the local body, of whom not less than one third should be women and not less than 18% should belong to the Scheduled Castes/Scheduled Tribes.

(3) The Chairperson of the Biodiversity Management Committee shall be elected from amongst the members of the committee in a meeting to be chaired by the Chairperson of the local body. The Chairperson of the local body shall have the casting votes in case of a tie.

(4) The Chairperson of the Biodiversity Management Committee shall have a tenure of three years.

(5) The local Member of Legislative Assembly/Member of Legislative Council and Member of Parliament would be special invitees to the meetings of the Committee.

(6) The main function of the BMC is to prepare People's Biodiversity Register in consultation with local people. 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.

¼7½ tSo fofo/krk izca/k lfefr ds vU; d`R; jkT; tSo fofo/krk cksMZ ;k LFkkuh; oS|ksa vkSj O;olkf;;ksa dks] tks tSo lalk/kuksa dk mi;ksx dj jgs gSa] bl laca/k esa vkdM+s j[kus ds ckjs esa vuqeksnu vuqnRr djus ds fy, jkT; tSo fofo/krk cksMZ ;k izkf/kdj.k }kjk mls fufnZ"V fd, x, fo"k;ksa eas ls fdlh ds laca/k esa lykg nsuk gSA

¼8½ izkf/kdj.k O;fDr;ksa ds tSo fofo/krk jftLVj vkSj mldh fof'kf"V;ka varfoZ"V djus vkSj bysDVªkfud MkVk cSl ds fy, iz:Ik fofufnZ"V djus ds fy, dne mBk,xkA

¼9½ izkf/kdj.k vkSj jkT; TkSo fofo/krk cksMZ] tSo fofo/krk izca/k lfefr;ksa dks O;fDr;kas ds tSo fofo/krk jftLVj rS;kj djus ds fy, ekxZn'kZu vkSj rduhdh lgk;rk miyC/k djk,xhA

¼10½ tSo fofo/krk izca/k lfefr;ksa }kjk O;fDr;kas dk tSo fofo/krk jftLVj j[kk tk,xk vkSj fof/kekU; fd, tk,axsA

¼11½ lfefr tSo lalk/kuksa vkSj ikjaifjd Kku ds izfr igqap vf/kjksfir Qhl ds laxzg.k ds C;kSjs vkSj vfHkizkIr Qk;nksa rFkk muds izHkktu dh jhfr ds C;kSjksa ds laca/k esa tkudkjh nsus okys jftLVj Hkh j[ksxhA

23-/kkjk 50 ds v/khu fooknksa ds fuiVkjs ds fy, vihy %&

¼1½ ;fn izkf/kdj.k ;k jkT; tSo fofo/krk cksMZ ds chp ;k ,d cksMZ vkSj nwljs cksMksZa ds chp fdlh vkns'k ;k funs'k ;k uhfrxr fofu'p; ds fdlh eqnns ds dk;kZUo;u ds dkj.k dksbZ Hkh O;fFkr i{kdkj vFkkZr~ ;FkkfLFkfr izkf/kdj.k ;k cksMZ dsUnzh; ljdkj dks /kkjk 50 ds v/khu izk:Ik 5 eas Hkkjr ljdkj ds Ik;kZoj.k vkSj ou ea=ky; ds lfpo dks vihy dj ldsxkA

¼2½jkT; tSo fofo/krk cksMZ vkSj vU; jkT; fofo/krk cksMZ ;k cksMksZa ds chp fookn mn~Hkwr gksus dh n'kk esa O;fFkr cksMZ ;k cksMksZa }kjk fookn ds fcanq ;k fcanqvksa dks dsUnzh; ljdkj dks Hkstk tk,xkA tks mUgsa izkf/kdj.k dks fufnZ"V djsxkA

¼3½vihy ds Kkiu esa ekeys ds rF;] os /kkjk ftudk vihykFkhZ us vihy djus ds fy, vkJ; fy;k gS vkSj pkgk x;k vuqrks"k dfFkr gksaxsA

¼4½ vihy Kkiu ds lkFk vkns'k] funs'k ;k uhfrxr fofu'p; ;FkkfLFkfr ml vkns'k] funsZ'k ;k uhfrxr fofu'p; dh ,d vf/kizekf.kr izfr gksxh ftlds }kjk vihykFkhZ O;fFkr gS vkSj tks vihykFkhZ ds izkf/kd`r izfrfuf/k lE;d~ :Ik ls gLrk{kfjr gksaxsA

¼5½vihy dk Kkiu fookfnr vkns'k] funsZ'k ;k uhfrxr fofu'p; dh rkjh[k ls rhl fnu ds Hkhrj pkj izfr;ksa esa ;k rks O;fDrxr :Ik ls jlhnh jftfLVªhd`r Mkd ls ;k lE;d~ jlhnh jftLVªhd`r Mkd ds ek/;e ls izLrqr fd;k tk,xkA

ijarq ;fn dsUnzh; ljdkj dk ;g lek/kku gks tkrk gS fd vihy djus esa foyac gksus ds fy, vPNk vkSj Ik;kZIr dkj.k Fkk rks ys[kc) fd, tkus okys dkj.kkas ls og iwoZxr rhl fnu dh vof/k ds volku ds Ik'pkr~ fdarq ;FkkfLFkfr] fookfnr vkns'k] funs'k ;k uhfrxr fofu'p; dh rkjh[k ls 45 fnu ds volku ls iwoZ vihy fd;k tkuk vuqKkr dj ldsxhA

¼6½vihy dh lquokbZ dh lwpuk izk:Ik 6 esa lE;d~ jlhnh jftLVªhd`r Mkd ls nh tk,xhA

¼7½ dsUnzh; ljdkj vihykFkhZ vkSj i{kdkjkas ds Ik'pkr~ vihy dh fuiVkjk lquokbZ djsxhA

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(7) The other functions of the BMC 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 vaids and practitioners using the biological resources.

(8) The Authority shall take steps to specify the form of the People’s Biodiversity Registers, and the particulars it shall contain and the format for electronic database.

(9) The Authority and the State Biodiversity Boards shall provide guidance and technical support to the Biodiversity Management Committees for preparing People’s Biodiversity Registers.

(10) The People’s Biodiversity Registers shall be maintained and validated by the Biodiversity Management Committee.

(11) The Committee shall also maintain a 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.

23. Appeal for settlement of disputes under Section 50

(1) If a dispute arises between the Authority or a State Biodiversity Board or between one Board and other Board(s) on account of implementation of any order or direction or on any issue of policy decision, either of the aggrieved parties i.e, Authority or that Board, as the case may be, prefer an appeal to the Central Government under section 50, in

Form V to the Secretary, Ministry of Environment and Forests, Government of India.

(2) In case the dispute arises between a State Biodiversity Board and another state Biodiversity Board or Boards, the aggrieved Board or Boards, shall prefer the point or points of dispute to the Central Government which shall refer the same to the Authority.

(3) The memorandum of appeal shall state the facts of the case, the grounds relied upon by the appellant, for preferring the appeal and the relief sought for.

(4) The memorandum of appeal shall be accompanied by an authenticated copy of the order, direction or policy decision, as the case may be, by which the appellant is aggrieved and shall be duly signed by the authorized representative of the appellant.

(5) The memorandum of appeal shall be submitted in quadruplicate, either in person or through a registered post with Acknowledgement due, within 30 days from the date of the orders, direction or policy decision, impugned provided that if the Central Government is satisfied that there was good and sufficient reason for the delay in preferring the appeal, it may, for reason to be recorded in writing, allow the appeal to be preferred after the expiry of the aforesaid period of 30 days but before the expiry of 45 days form the date of the orders impugned, direction or policy decision, as the case may be.

Form VI by a registered post with an acknowledgement due.

(7) The Central Government shall, after hearing the appellant and the other parties, dispose of the appeal.

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¼9½ izkf/kdj.k fdlh fookfnr dk U;k; fu.kZ;u djus esa izkd`frd U;k; ds fl)karksa }kjk ekxZnf'kZr gksxk vkSj ;Fkklk/; mlh izfØ;k dks viuk,xk ftldks bl fu;e ds v/khu dsUnzh; ljdkj ls viuk, tkus dh vis{kk gSA

24- /kkjk 61 ds v/khu lwpuk nsus dh jhfr%&

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¼k½ ;fn vfHkdfFkr vijk/k jkT; esa gqvk gS rks jkT; tSo fofo/krk cksMZ ds v/;{k dks HkstsxkA

¼2½ mifu;e ¼1½ esa fufnZ"V lwpuk lE;d~ jlhnh jftLVªhd`r Mkd ls Hksth tk,xh] vkSj

¼3½ /kkjk 61 ds [kaM ¼k½ esa of.kZr rhl fnu dh vof/k dh x.kuk ml rkjh[k ls dh tk,xh] ftldks mifu;e ¼1½ esa of.kZr izkf/kdkfj;ksa }kjk lwpuk izkIr dh tkrh gSA

(8) In disposing of an appeal, it may vary or modify or cancel impugned order, direction or policy, as the case may be.

(9) In adjudicating a dispute, the Authority shall be guided by the principles or natural justice and as far as practicable, follow the same procedures which the Central Government is required to follow under this rule.

24. Manner of giving notice under Section 61

(1) The manner of giving notice, under clause (b) of section 61, shall be as follows namely:

Form VII.

(ii) The person giving the notice may send it to:

(a) If the alleged offense has taken place in a Union territory, to the Chairperson of the National Biodiversity Authority; and

(b) If the alleged offence has been taken place in a State, to the Chairperson of the State Biodiversity Board.

(2) The notice referred to in sub-rule (1) shall be sent by registered post acknowledgement due; and

(3) The period of thirty days mentioned in clause (b) of section 61 shall be reckoned from the date, the notice is received by the Authorities mentioned in sub-rule (1)

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(ii) uke %

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(vi)dkjksckj dh izd`fr %

(vii)laxBu dk vesfjdh Mkyjkas esa O;ko`r %

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¼d½igpku ¼oSKkfud uke½ tSo lalk/kuksa vkSj ikjaifjd mi;ksx dh igpku %

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¼N½p;u djus ds fy, daiuh }kjk izkf/kd`r O;fDr dk uke vkSj la[;k %

¼t½og iz;kstu ftlds fy, igqap dk vuqjks/k fd;k x;k gS ftlds varxZr vuqla/kku dh izfØ;k vkSj foLrkj] O;qRiUu gksus okys okf.kfT;d mi;ksx vkSj mlls O;qRiUu fd, tkus dh laHkkouk Hkh gS %

¼>½D;k lalk/kuksa ds laxzg.k ls tSo fofo/krk ds fdlh ?kVd dks ladV mRiUu gqvk gS vkSj og tksf[ke tks igqap ls mRiUu gks ldsxk%

3- fdlh jk"Vªh; laLFkk ds C;kSjs tks vuqla/kku vkSj fodkl fØ;kdykiksa esa Hkkx ysxhA

4- igaqp izkIr lalk/ku dk izkjafHkd xarO; vkSj ml vofLFkfr dh igpku] tgkWa vuqla/kku vkSj fodkl fd;k tk,xkA

5- vkfFkZd vkSj vU; Qk;ns] blds varxZr os Hkh gSa] tks igqap izkIr tSo lalk/kuksa vkSj Kku ls vfHkizkIr fdlh ckSf)d laink vf/kdkj ls izkIr gq, gSa ;k ml ns'k dks ftldk@ftldh og gS] ds fy, vk'kf;r gS ;k mRiUu gks ldsxkA

6- igqap izkIr tSo lalk/kuksa ;k Kku ls vfHkizkIr rduhdh@oSKkfud] lkekftd ;k dksbZ vU;; Qk;ns tks ;k ml vkns'k dks ftldk@ftldh og gS] ds fy, vk'kf;r gS ;k mRiUu gks ldsxkA

The Biological Diversity Rules, 2004

FORM I

(See rule 14)

Application form for access to Biological resources and associated traditional knowledge

Part A

(i) Full particulars of the applicant

(ii) Name

(iii) Permanent address

(iv) Address of the contact person/agent, if any, in India

(v) Profile of the organization (personal profile in case the applicant is an individual). Please attach relevant documents of authentication):

(vi) Nature of business

(vii) Turnover of the organization in US$

2. Details and specific information about nature of access sought and biological material and associated knowledge to be accessed

a) Identification (scientific name) of biological resources and its traditional: b) Geographical location of proposed collection:

c)

Description / nature of traditional knowledge: d) Any identified individual/community holding the traditional knowledge: e) Quantity of biological resources to be collected (give the schedule): f) Time span in which the biological resources is proposed to be collected: g) Name and number of persons authorized by the company for making the selection:

h) The purpose for which the access is requested including the type and extent of research, commercial use being derived and expected to be derived from it:

i) Whether any collection of the resource endangers any component of biological diversity and the risks which may arise from the access: 3. Details of any national institution which will participate in the Research and Development activities.

4. Primary destination of accessed resource and identity of the location where the R&D will be carried out.

5. The economic and other benefits including those arriving out of any IPR, patent obtained out of accessed biological resources and knowledge that are intended, or may accrue to the applicant or to the country that he/she belongs. 6. The biotechnological, scientific, social or any other benefits obtained out of accessed biological resources and knowledge that are intended, or may accrue to the applicant or to the country that he/she belongs.

tSofofo/krk fu;e] 2004

7- igqap izkIr tSo lalk/kuksa vkSj ikjaifjd Kku ds mi;ksx ds Hkkjr@leqnk;kas dks izofgr gksaxs] mu Qk;nksa dk izkDdyuA

8- Qk;ns izHkktu ds fy, izLrkfor ra= vkSj O;oLFkk,aA

9- dksbZ vU; tkudkjh tks lqlaxr le>h tk,aA

Hkkx [k

?kks"k.kk

eSa@ge ?kks"k.kk djrs gSa fd

Ÿ izLrkfor tSo lalk/kuksa ds laxzg.k ls lalk/kukas dh iks"k.kh;rk ij izfrdwy izHkko ugha iM+sxk(

Ÿ izLrkfor tSo lalk/kuksa ds laxzg.k ls dksbZ Ik;kZoj.kh; izHkko ugha iM+sxk(

Ÿ izLrkfor tSo lalk/kuksa ds laxzg.k ls ikfLFkfrdh iz.kkyh dks dksbZ tksf[ke ugha gksxk(

Ÿ izLrkfor tSo lalk/kuksa ds laxzg.k ls LFkkuh; leqnk;ksa ij dksbZ izfrdwy izHkko ugha iM+sxk(

eSa@ge ;g ?kks"k.kk djrs gSa fd vkosnu esa miyC/k djkbZ xbZ tkudkjh lR; vkSj lgh gS vkSj eSa@ge ?kks"k.kk djrk gwa@djrs gSa fd fdlh vlR;@xyr tkudkjh ds fy, mRrjnk;h gwaxk@gksaxsA

gLrk{kfjr LFkku % uke

Rkkjh[k % 'kh"kZd

7. Estimation of benefits that would flow to India/communities arising out of the use of accessed bio-resources and traditional knowledge.
8. Proposed mechanism and arrangements for benefit sharing.
9. Any other information considered relevant.

PART B

Declaration

I/We declare that:

- Collection of proposed biological resources shall not adversely affect the sustainability of the resources;
- Collection of proposed biological resources shall not entail any environmental impact;
- Collection of proposed biological resources shall not pose any risk to ecosystems;
- Collection of proposed biological resources shall not adversely affect the local communities;

I/We further declare the Information provided in the application

form is true and correct and I/we shall be responsible for any incorrect/wrong information.

Signed Name Title Place

Date

tSofofo/krk fu;e] 2004

izk:Ik 2

¼fu;e 17 nsf[k,½

fons'kh jkf"Vªd daifu;ksa] vfuoklh Hkkjrh;ksa dks okf.kfT;d Ikz;kstuksa ds fy, vuqla/kku ds ifj.kkeksa dks varfjr djus ds fy, jk"Vªh; tSofofo/krk izkf/kdj.k dk iwokZuqeksnu pkgus ds fy, vkosnu

1- vkosnd dh iw.kZ fof'kf"V;ka

(i) uke %

(ii) irk %

(iii) o`fRrd fooj.k %

(iv) laxBukRed lgc)rk ¼d`Ik;k vf/kizek.ku ds lqlaxr nLrkost layXu djsa½2- vkosnd dh iw.kZ fof'kf"V;ka fd, x, vuqla/kku ds ifj.kkeksa ds C;kSjsA

3- vuqla/kku esa iz;qDr tSo vuqla/kku vkSj@;k lgc) Kku ds C;kSjsA

4-

og HkkSxksfy; vofLFkfr tgka vuqla/kku esa iz;qDr tSo vuqla/kkuksa dks lax`fgr fd;k tkrk gSA 5- vuqla/kku esa iz;qDr ikjaifjd Kku vkSj fdlh igpu fd, x, O;fDr@leqnk; ds C;kSjs tks ikjaifjd Kku /kkfjr fd, gq, gSaA

6- ml laLFkk ds C;kSjs tgka vuqla/kku vkSj fodkl fØ;kdyki fd, tkrs gSaA

7- ml O;f"V@laxBu ds C;kSjs ftldks vuqla/kku ifj.kke varfjr fd, tkus dk vk'k; gSA 8- vkfFkZd] tSo rduhdh] oSKkfud ;k fdUgha Qk;nksa ds C;kSjs tks varfjr vuqla/kku ifj.kkeksa ds okf.kT;hdj.k ds dkj.k O;f"V@laxBu dks vk'kf;r gSa ;k izksn~Hkwr gksus gSaA

9- vkfFkZd] tSo rduhdh] oSKkfud ;k fdUgha Qk;nksa ds C;kSjs tks vuqla/kku ifj.kkeksa ds varj.k ds fy, vuqeksnu pkgus okys vkosnd dks vk'kf;r gS ;k izksn~Hkwr gq, gSaA

10- izLrkfor izkIrdrkZ vkSj vuqla/kku ds ifj.kkeksa ds varj.k ds fy, vuqeksnu pkgus okys vkosnd }kjk fdlh djkj ;k muds chp ln~Hkkouk Kkiu ds C;kSjsA

?kks"k.kk

eSa@ge ;g ?kks"k.kk djrk gwa@djrs gSa fd vkosnu esa miyC/k djkbZ xbZ tkudkjh lR; vkSj lgh gS vkSj eSa@ge ?kks"k.kk djrk gwa@djrs gSa fd fdlh vLkR;@xyr tkudkjh ds fy, mRrjnk;h gwaxk@gksaxsA

gLrk{kfjr LFkku % uke

Rkkjh[k % 'kh"kZd

The Biological Diversity Rules, 2004

FORM II

(See rule 17)

Application for seeking prior approval of National Biodiversity Authority for transferring the results or research to foreign nationals, companies. NRI's, for commercial purposes.

1. Full particulars of the applicant
   i) Name
   ii) Address
   iii) Professional Profile
   iv) Organizational affiliation (Please attach relevant documents of authentication

2. Details of the results of research conducted 3. Details of the Biological resources and/or associated knowledge used in the research

4. Geographical location from where the biological resources used in the research are collected.

5. Details of any traditional knowledge used in the research and any identified individual/community holding the traditional knowledge.

6. Details of institution where R&D activities carried out.

7. Details of the individual/organization to whom the research results are intend to transfer.

8. Details of economic, biotechnological, scientific or any other benefits that are intended, or may accrue to the individual/ organization due to commercialization of transferred research results.

9. Details of economic, biotechnological, scientific or any other benefits that are intended, or may accrue to the applicant seeking approval for transfer of results or research.

10. Details of any agreement or MOU between by the proposed recipient and applicant seeking approval for transfer of results of research.

Declaration

form is true and correct and I/we shall be responsible for any incorrect/wrong information.

Signed Name Title

Place

Date

tSofofo/krk fu;e] 2004

izk:Ik 3

¼fu;e 18 nsf[k,½

ckSf)d laink vf/kdkj ds fy, vkosnu djus ds fy, jk"Vªh; tSofofo/krk izkf/kdj.k ;k iwokZuqeksnu pkgus ds fy, vkosnu

1- vkosnd dh iw.kZ fof'kf"V;ka

(I) uke %

(ii) irk %

(iii) o`fRrd fooj.k %

(iv) laxBukRed lgc)rk ¼d`Ik;k vf/kizek.ku ds lqlaxr nLrkost layXu djsa½

2- ml vUos"k.k ds C;kSjs ftu ij ckSf)d laink vf/kdkj pkgs x, gSaA

3- vUos"k.k esa iz;qDr tSo vuqla/kku vkSj@;k lgc) Kku ds C;kSjsA

4- og HkkSxksfyd vofLFkfr tgka vUos"k.k esa iz;qDr tSo vuqla/kku lax`fgr fd, tkrs gSA

5- vUos"k.k esa iz;qDr fdUgha ikjaifjd Kku vkSj fdlh igpku fd, x, O;f"V@leqnk; ds C;kSjs tks ikjaifjd Kku /kkj.k fd, gq, gSaA

6- ml laLFkk ds C;kSjs tgka vuqla/kku vkSj fodkl fØ;kdyki fd;k tkrk gSA

7- vkfFkZd] tSo rduhdh] oSKkfud ;k fdUgha vU; Qk;nksa ds C;kSjs tks vuqla/kku ifj.kkeksa ds varj.k ds fy, vuqeksnu pkgus okys vkosnd dks vk'kf;r gS ;k izksn~Hkwr gq, gSa

?kks"k.kk

eSa@ge ;g ?kks"k.kk djrk gwa@djrs gSa fd vkosnu esa miyC/k djkbZ xbZ tkudkjh lR; vkSj lgh gS vkSj eSa@ge ?kks"k.kk djrk gwa@djrs gSa fd fdlh vLkR;@xyr tkudkjh ds fy, mRrjnk;h gwaxk@gksaxsA

gLrk{kfjr LFkku % uke

Rkkjh[k % 'kh"kZd

The Biological Diversity Rules, 2004

FROM III

(See rule 18)

Application for seeking prior approval of National Biodiversity Authority for applying for Intellectual Property Right

1. Full particulars of the applicant

i) Name

ii) Address

iii) Professional profile

iv) Organizational affiliation (Please attach relevant documents of authentication)

2. Details of the invention on which IPRs sought

3. Details of the Biological resources and/or associated knowledge used in the invention

4. Geographical location from where the biological resources used in the invention are collected

5. Details of any traditional knowledge used in the invention and any identified individual/community holding the traditional knowledge 6. Details of institution where Research and Development activities carried out.

7. Details of economic, biotechnological, scientific or any other benefits that are intended, or may accrue to the applicant due commercialization of the invention.

Declaration

I/We declare the Information provided in the application

form is true and correct and I/we shall be responsible for any incorrect/wrong information.

Signed Name Title Place

Date

tSofofo/krk fu;e] 2004

izk:Ik 4

¼fu;e 19 nsf[k,½

igqap izkIr tSo lalk/kuksa vkSj lgc) ikjaifjd Kku ds rhljs i{kdkj dks varj.k ds fy, jk"Vªh; tSo fofo/krk izkf/kdj.k dk vuqeksnu pkgus ds fy, vkosnu iz:i

1- vkosnd dh iw.kZ fof'kf"V;ka

(i) uke %

(ii) irk %

(iii) o`fRrd fooj.k %

(iv) laxBukRed lgc)rk ¼d`Ik;k vf/kizek.ku ds lqlaxr nLrkost layXu djsa½

2- igqap izkIr tSo lkexzh vkSj ikjaifjr Kku ds C;kSjsA

3- fd;s x;s igqap lafonk ds C;kSjs ¼izfr layXu dh tk,a½A

4- igys ls dk;kZfUor Qk;nk izHkktu ds fy, ra=@O;oLFkk,a ds C;kSjsA

5- rhljs i{kdkj dh iw.kZ fof'kf"V;kWa ftldks igqap izkIr lkexzh@Kku varj.k fd, tkus dk vk'k; gSA

6- vk'kf;r r`rh; i{kdkj varj.k dk iz;kstuA

7- vkfFkZd] tSo rduhdh] oSKkfud ;k fdUgha vU; Qk;nksa ds C;kSjs tks vuqla/kku ifj.kkeksa ds varj.k ds fy, vuqeksnu pkgus okys vkosnd dks vk'kf;r gS ;k izksn~Hkwr gq, gSa

8- vkosnd vkSj r`rh; i{kdkj ds chp fd, tkus okys djkj ds C;kSjsA

9- Qk;nksa dk izkDdyu ftudk igqap izkIr tSo lalk/kuksa vkSj ikjaifjd Kku ds rhljs i{kdkj dks varj.k ds dkj.k Hkkjr@leqnk; esa izokg gksxkA

10- nLrkost frfFk i{kdkj varj.k ds dkj.k Qk;nk izHkktu ds fy, izLrkfor ra= vkSj O;oLFkk,aA

11- dksbZ vU; lqlaxr tkudkjhA

?kks"k.kk

eSa@ge ;g ?kks"k.kk djrk gwa@djrs gSa fd vkosnu esa miyC/k djkbZ xbZ tkudkjh lR; vkSj lgh gS vkSj eSa@ge ?kks"k.kk djrk gwa@djrs gSa fd fdlh vLkR;@xyr tkudkjh ds fy, mRrjnk;h gwaxk@gksaxsA

gLrk{kfjr LFkku %

uke Rkkjh[k % 'kh"kZd

FORM IV

(See rule 19)

Application form for seeking approval of National Biodiversity Authority for third party transfer of the accessed Biological resources and associated traditional knowledge.

1. Full particulars of the applicant
   (i) Name
   (ii) Address
   (iii) Professional profile
   (iv) Organizational affiliation (Please attach relevant documents of authentication
2. Details of the biological material and traditional knowledge accessed.
3. Details of the access contract entered (Copy to be enclosed).
4. Details of benefits and mechanism/arrangements for benefit sharing already implemented.
5. Full particulars of the third party to whom the accessed material/ knowledge is intended to transfer.
6. The purpose of the intended third party transfer.
7. Details of economic, social, biotechnological, scientific or any other benefits that are intended, or may accrue to the third party due to transfer of accessed biological material and knowledge.
8. Details of any agreement to be entered between the applicant and the third party.
9. Estimation of benefits that would flow to India/communities arising out of the third party transfer of accessed biological resources and traditional knowledge.
10. Proposed mechanism and arrangements for benefit sharing arising out of the proposed third party transfer.
11. Any other relevant information.

Declaration

form is true and correct and I/we shall be responsible for any incorrect/wrong information.

Signed Name Title Place

Date

tSofofo/krk fu;e] 2004

izk:Ik 5

¼fu;e 23 ¼1½ nsf[k,½

vihy ds Kkiu dk iz:i----------Ik;kZoj.k vkSj ou ea=ky;] ubZ fnYyh ds le{k

;k

tSo fofo/krk izkf/kdj.k

¼;FkkfLFkfr½

¼jk"Vªh; tSo fofo/krk izkf/kdj.k] 2002 dh /kkjk 50 ds v/khu vihy dk Kkiu½

200---------- dh vihy la-

---------- vihykFkhZ

¼vihykfFkZ;ksa½----------

cuke

---------- izR;FkhZ ¼izR;fFkZ;ksa½

¼;FkkfLFkfr ;gka izkf/kdj.k@cksMZ dk inkfHk/kku of.kZr djsa½

vihykFkhZ fuEufyf[kr rF;ksa vkSj vk/kkjkas ij izR;FkhZ }kjk ikfjr rkjh[k----------ds vkns'k ds fo:) ;g vihy Kkiu djuk pkgrk gSA

1- rF;

¼;gka ekeys ds la{ksi esa rF; of.kZr djsa½

2- vk/kkj %

¼os vk/kkj of.kZr djsa ftu ij vihy of.kZr dh xbZ gS½

(i)

(ii)

(iii)

3- Pkkgk x;k vuqrks"k %

(i)

(ii)

(iii)

FORM V

(See rule-23(1)

Form of Memorandum of Appeal

BEFORE THE _____ MINISTRY OF ENVIRONMENT AND FORESTS, NEW DELHI

OR

NATIONAL BIODIVERSITY AUTHORITY

(as the case may be)

(Memorandum of appeal under Section 50 of the Biological Diversity Act, 2002) **Appeal No. _____ of 200**

_____

_____ Vs.

_____ _____

……Appellant(s)

…….Respondent(s)

(here mention the designation of the Authority/Board, as the case may be)

The appellant begs to prefer this Memorandum of Appeal against the order dated _____ passed by the Respondent on the following facts and grounds.

1. FACTS:
(Here briefly mention the facts of the case):

2. GROUND:
(Here mention the grounds on which the appeal is made):

i.)
ii.)
iii.)

3. RELIEF SOUGHT:

i.)
ii.)
iii.)

tSofofo/krk fu;e] 2004

4- izkFkZuk

¼d½vkosnd tks mij dFku fd;k x;k gS mldks /;ku esa j[krs gq, lknj izkFkZuk djrk gS fd izR;FkhZ ds vkns'k@fofu'p; dks vi[kafMr@vikLr fd;k tk,A

¼[k½izR;FkhZ }kjk cuk;h xbZ uhfr@ekxZfunsZ'k@fofu;e---------- lhek rd mi[kafMr@mikarfjr@'kwU;d`r fd, tk,aA

¼x½----------

LFkku %---------- vkosnd ds gLrk{kj Rkkjh[k %-------- ---------- eqgj lfgr

Ikrk %

lR;kiu

eSa] vkosnd ?kks"k.kk djrk gwa@djrh gwa fd tks dqN mij dFku fd;k x;k gS esjh loksZRre tkudkjh vkSj fo'okl ds vuqlkj lR; gSA

---------- fnu ----------dks lR;kfirA

vkosnd ds gLrk{kj
eqgj lfgr

irk %

vihykFkhZ ds izkf/kd`r izfrfuf/k ds gLrk{kj

layXud % ml vkns'k@funs'k@uhfr fofu'p; dh vf/kizekf.kr izfr ftlds fo:) vihy dh xbZ gSA

The Biological Diversity Rules, 2004

4. PRAYER:

(a) In the light of what is stated above, the appellant respectfully prays that the order/decision of the respondent be quashed/set-aside

(b) The policy/guidelines/regulation framed by the Respondent be quashed/modified/annulled to the extent _____

(c) _____

Signature of the appellant with Seal Place:

_____ Address:

Dated: _____

VERIFICATION

I, the appellant do hereby declare that what is stated above is true to the best of my information and belief.

Verified on _____ day of _____

Signature of the appellant with Seal

Address

Signature of the Authorized representative of the appellant

Enclosures: 1. Authenticated copy of the order/direction/policy decision against which the the appeal has been preferred.

tSofofo/krk fu;e] 2004

izk:Ik 6

lwpuk dk izk:i

¼fu;e 23 ¼5½ nsf[k,½

---------- Ik;kZoj.k vkSj ou ea=ky;] ubZ fnYyh ds le{k

;k

tSo fofo/krk izkf/kdj.k

¼;FkkfLFkfr½

----- 20----------dh vihy la-

chp %

---------- vihykFkhZ

¼vihykfFkZ;ksa½

cuke

---------- izR;FkhZ

¼izR;fFkZ;ksa½

lwpuk

d`Ik;k /;ku nsa fd vihykFkhZ }kjk mDr vkns'k@funsZ'k@uhfr fofu'p; ¼C;kSjs nsa½ ds fo:) Qkby dh xbZ gSA lquokbZ dh rkjh[k----------esa fu;r gqbZ gSA

vihy Kkiu dh izfr;kWa vkSj vihy ds lkFk Qkby fd, x, vU; mica/k vkids funsZ'k ds fy, Hksts tkrs gSaA

d`Ik;k /;ku nsa fd ;fn vki mDr rkjh[k dks ;k vihy dh lquokbZ dh vU; izLrkfor rkjh[k dks milatkr gksus esa vlQy jgrs gSa vihy dk fuiVkjk vafre :Ik ls ,d i{kh; ekudj dj fn;k tk,xkA

vihy izkf/kdkjh dh vksj ls izkf/kd`r gLrk{kjdrkZ ¼eqgj½rkjh[k % ----------

L Fkku % ----------

FORM VI

(See rule 28)

BEFORE THE _____ MINISTRY OF ENVIRONMENT AND FORESTS, NEW DELHI

OR

NATIONAL BIODIVERSITY AUTHORITY (as the case may be)

Appeal No. _____ of 200

Between:

_____

_____ …..Appellant(s)

Vs.

_____

_____ …..Respondent(s)

NOTICE

Please take note that the above appeal filed by the appellant, against the order/direction/policy decision (give details) is fixed for hearing on _____ at _____.

The copies of the appeal memorandum and other annexure filed along with the appeal are sent herewith for your reference.

Please note that if you fails to appear on the said date or other subsequent date of hearing of the appeal, the appeal would be disposed of finally by placing you ex-parte.

Authorized signatory on behalf of the Appellate Authority (Seal)

Date: _____

Place: _____

tSofofo/krk fu;e] 2004

izk:Ik 7

lwpuk dk izk:i

¼fu;e 23 ¼5½ nsf[k,½

jftLVªhd`r Mkd@lE;d~ vfHkLohd`fr }kjk izs"kd]

Jh----------

---

lsok esa]

---

fo"k; % tSo fofo/krk vf/kfu;e] 2002 dh /kkjk 61 ¼[k½ ds v/khu lwpuk

---------- }kjk tSo fofo/krk vf/kfu;e] 2002 ds v/khu dksbZ vijk/k fd;k x;k gS ;k fd;k tk jgk gSA

2- eSa@ge tSo fofo/krk vf/kfu;e] 2002 dh /kkjk 61 ¼[k½ ds v/khu ---------- ds fo:) tSo fofo/krk vf/kfu;e] 2002 ds mica/kksa dk mYya?ku fd, tkus ds fy, Qkby esas ifjokn Qkby djus vius@gekjs vk'k; dh rhl fnu dh lwpuk nsrk gwa@nsrs gSaA

3- esjs@gekjs lwpuk ds LFkku ls eSa@ge lcwr ds lk{; ds :Ik eas fuEufyf[kr nLrkost layXu djrs gSaA

Rkkjh[k % ----------

LFkku % ----------

gLrk{kj

FORM VII

FORM OF NOTICE

(See rule 24(1)

By Registered Post/Acknowledgement due

From,

Sri _____

_____

_____

To,

_____

_____

_____

Sub: NOTICE UNDER SECTION 61(b) OF THE BIOLOGICAL DIVERSITY ACT, 2002.

1. Whereas an offence under the Biological Diversity Act, 2002 has been committed/is being committed by _____.

2. I/We hereby give notice of 30 days under Section 61(b) of the Biological Diversity Act, 2002 of my/our intention to file a complaint in the Court against _____ For violation of the provisions of the Biological Diversity Act, 2002.

3. In support of my/our notice, I am/we are enclosing herewith the following documents as evidence of proof.

Place: _____

Dated: _____

Signature

tSofofo/krk fu;e] 2004

Li"Vhdj.k %

¼1½fdlh daiuh ds uke ls lwpuk fn, tkus dh n'kk esa daiuh dh vksj ls lwpuk dks gLrk{kj djus ds fy, O;fDr dks izkf/kd`r djus dk nLrkost lk{; lwpuk ds lkFk layXu fd;k tk,xkA

¼2½vfHkdfFkr vijk/kh dk uke vkSj irk nsaA izkf/kdj.k ds vuqeksnu ds fcuk tSo lalk/ku@Kku@vuqla/kku@tSo losZ{k.k vkSj tSo iks"k.k@ckSf)d lainh vf/kdkj@isVsaV dk mi;ksx fd, tkus dh n'kk easa mlds C;kSjs vkSj okf.kfT;d mi;ksx] ;fn dksbZ gks] izLrqr fd;k tk,xkA

¼3½vfHkdfFkr mYya?ku@vijk/k@tkap dks leFkZ cukus ds fy, nLrkosth lk{; ds varxZr QksVks] rduhdh fjiksVZ vkfn lfEefyr gSA

¼la-ts- 22018@57@2002&lh,llh ¼ch-lh-½½

ns'k nhid oekZ] la;qDr lfpo

The Biological Diversity Rules, 2004

EXPLANATION:

1) In case the notice to be given in the name of a company, documentary evidence authorizing the person to sign the notice on behalf of the company shall be enclosed to the notice.

2) Give the name and address of the alleged offender. In case of using biological resource/knowledge/research/bio-survey and bio utilization the intellectual property right/patent, without the approval of the Authority, the details thereof and the commercial utilization if any, may be furnished.

3) Documentary evidence shall include photograph, technical report, etc. for enabling enquiry into the alleged violation/offence.

[No. J-22018/57/2002-CSC (BC)]

DESH DEEPAK VERMA, Jt. Secy.

tSofofo/krk fu;e] 2004

Ik;kZoj.k vkSj ou ea=ky;]

ubZ fnYyh }kjk tkjh vf/klwpuk,a

dk-vk- 1146 ¼v½ & dsUnzh; ljdkj] tSo fofo/krk vf/kfu;e] 2002 ¼2003 dk 18½ dh /kkjk 1 dh mi /kkjk ¼3½ }kjk iznRr 'kfDr;kWa dk iz;ksx djrs gq,] 1 vDVwcj] 2003 dks ml rkjh[k ds :Ik esa fu;r djrh gS ftldks mDr vf/kfu;e dh fuEufyf[kr /kkjk,a izo`Rr gkasxh] vFkkZr %& 1 vDVwcj] 2003 ls izHkkoh tSo fofo/krk vf/kfu;e dh /kkjk 1 vkSj 2] /kkjk 8 ls 17 ¼nksuksa lfEefyr gSa½ /kkjk 48] 54] 59] 62] 63] 64 vkSj 65-

¼Qk-la-ts&22018@46@2003&lh ,l ch ¼ch-lh-½½ ns'k nhid oekZ] la;qDr lfpo

lk-dk-fu- 179 ¼v½&dsUnzh; ljdkj] tSofofo/krk vf/kfu;e] 2002 ¼2003 dk 18½ dh /kkjk 62 dh mi/kkjk ¼2½ ds [kaM ¼d½ ds lkFk ifBr mi/kkjk ¼1½ }kjk iznRr 'kfDr;kas dk iz;ksx djrs gq;s fuEufyf[kr fu;e cukrh gS] uker% v/;{k vkSj vU; lnL;ksa ds osru HkRrs vkSj lsok 'krsZ fu;r] 2003 ¼1½ vDVwcj] 2003 ls izHkkoh gksaxsA

¼Qk-la-ts&22018@46@2003&lh ,l ch ¼ch-lh-½½ ns'k nhid oekZ] la;qDr lfpo

dk-vk- 1147 ¼v½ & dsUnzh; ljdkj] tSo fofo/krk vf/kfu;e] 2002 ¼2003 dk 18½ dh /kkjk 8 dh mi/kkjk ¼1½ vkSj ¼4½ }kjk iznRr 'kfDr;kWa dk iz;ksx djrs gq, mDr vf/kfu;e ds iz;kstuksa ds fy, jk"Vªh; tSo fofo/krk izkf/kdj.k uked fudk; dh LFkkiuk 1 vDVwcj] 2003 ls gh djrh gS tks fuEufyf[kr lnL;ksa ls feydj cusxk % /kkjk 8 dh mi/kkjk ¼4½ ds [kaM ¼d½ ds v/khu 1 vDVwcj] 2003 ls v/;{k ds :Ik eas fu;qDr lnL;A

¼Qk-la-ts&22018@46@2003&lh ,l ch ¼ch-lh-½½ ns'k nhid oekZ] la;qDr lfpo

dk-vk- 497 ¼v½ & dsUnzh; ljdkj] tSo fofo/krk izkf/kdj.k ¼v/;{k vkSj vU; lnL;ksa ds osru HkRrs vkSj lsok 'krsZa½ fu;e] 2003 ds fu;e ¼5½ ds mi fu;e ¼1½ ds lkFk ifBr tSo fofo/krk vf/kfu;e] 2002 ¼2003 dk 18½ dh /kkjk 8 dh ¼1½ vkSj mi/kkjk ¼4½ }kjk iznRr 'kfDr;kWa dk iz;ksx djrs gq, jk"Vªh; tSo fofo/krk izkf/kdj.k esa fuEufyf[kr xSj&ljdkjh lnL;ksa dks fu;qDr djrh gSA vkSj ml iz;kstu ds fy, vf/klwpuk la[;k dk-vk- 1147 ¼v½] rkjh[k 1 vDVwcj] 2003 dks bl vf/klwpuk ds jkti= eas izdk'ku dh rkjh[k 15 vizSy 2004 ls la'kksf/kr djrh gSA

¼Qk-la-ts&22018@46@2003&lh ,l ch ¼ch-lh-½½ns'k nhid oekZ] la;qDr lfpo

tSofofo/krk fu;e] 2004

lk-dk-fu- 261 ¼v½&dsUnzh; ljdkj] 15 vizSy] 2004 ls tSofofo/krk vf/kfu;e] 2002 dh /kkjk 62 }kjk iznRr 'kfDr;kas dk iz;ksx djrs gq;s vkSj jk"Vªh; tSo fofo/krk izkf/kdj.k ¼v/;{k vkSj vU; lnL;ksa ds osru] HkRrs vkSj lsok dh 'krsZa½ fu;e] 2003 dks mu ckrksa ds flok, vf/kØkar djrs gq,] ftUgsa ,sls vf/kØe.k ls igys fd;k x;k gS ;k djus dk yksi fd;k x;k gS] fuEufyf[kr fu;e cukrh gSA

¼Qk-la-ts&22018@46@2003&lh ,l ch ¼ch-lh-½½ ns'k nhid oekZ] la;qDr lfpo

dk-vk- 753 ¼v½ & dsUnzh; ljdkj] tSo fofo/krk vf/kfu;e] 2002 ¼2003 dk 18½ dh /kkjk 1 dh mi/kkjk ¼3½ }kjk iznRr 'kfDr;kWa dk iz;ksx djrs gq, rkjh[k 1 tqykbZ] 2004 dks] ml rkjh[k ds :Ik esa fu;r djrh gS ftldks mDr vf/kfu;e dh fuEufyf[kr /kkjk,a izo`Rr gksaxh] vFkkZr~ % /kkjk 3 ls /kkjk 7 ¼nksuksa lfEefyr½(/kkjk 18 ls /kkjk 47 ¼nksuksa lfEefyr½(

/kkjk 49 ls /kkjk 53 ¼nksuksa lfEefyr½(/kkjk 55 ls /kkjk 58 ¼nksuksa lfEefyr½ vkSj /kkjk 60 ,oa /kkjk 61A

¼Qk-la-ts&22018@46@2003&lh ,l ch ¼ch-lh-½½ns'k nhid oekZ] la;qDr lfpo