



NATIONAL BIODIVERSITY AUTHORITY
GOVERNMENT OF INDIA

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No.F/NBA/2/38/10/Admn/458

5th Floor, TICEL Bio Park,

Taramani, Chennai- 600 113

Dated the 26th February, 2010

OFFICE ORDER

Sub: Expert committee for the preparation of Training Module for Officers Staff and various Stakeholders on legal, social, technical aspects of implementation of various provisions of Biological Diversity Act, 2002.

(I) Whereas, as per section 36(1), of the Biological Diversity Act, 2002, the Central Government shall develop national strategies, plans, programmes for the conservation and promotion and sustainable use of biological diversity including measures for identification and monitoring of areas rich in biological resources, promotion of insitu, and exsitu, conservation of biological resources, incentives for research, training and public education to increase awareness with respect to biodiversity.

(II) And, whereas, as per Rule 12 (vii), the Authority can involve, collect, compile and publish technical and statistical data, manuals, codes or guides relating to 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) And whereas, As per rule 12 (viii) of the Biological Diversity Rules 2004 – the Authority may create awareness through mass media a comprehensive programme regarding 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.

As per rule 12 (ix), the Authority may plan and organize training of personnel engaged or likely to be engaged in programmes for the conservation of biodiversity and sustainable use of its components;

As per rule 12 (xii) Authority may take steps to build up data base and to create information and documentation system for biological resources and associated traditional knowledge through biodiversity registers and electronic databases, to ensure effective management, promotion and sustainable uses.

(IV) Now, therefore, in exercise of the powers conferred under Sub-section(2) of Section 13 of the Biological diversity Act, 2002, (BDA, 2002) and Rule 11 of Biological Diversity Rules, an

Expert committee for the preparation of Training Module for Officers, staff and various stakeholders on legal, social, technical aspects and sustainable utilization of Biodiversity/Biological resources is herewith constituted.

S.No	Name	Members
1.	Shri. T.C. James	Chairman
2.	Shri. Mallikarjuna Rao,	Member
3.	Shri. Yeshwanth Shenoy	Member
4.	Dr. Nandakumar Mukund Kamat,	Member
5.	Dr. T. Ramakrishna	Member
6.	Shri. Bhaskar Goswami	Member
7.	Sh. Pawan Kumar	Member
8	Dr. S. Sumathi	Member
9.	Shri. G.Venkataramani	Member
10.	Shri. R.K.Upadhyay	Member
11.	Shri. Sudhir Kumar	Member
12.	Dr.N.Parasuraman,	Member
13.	Dr. C. Thomson Jacob,	Member
14.	Dr. K.P.Raghuram	Member cum Convener

Focal Point: Shri C.Achalender Reddy, I.F.S, Secretary, NBA

Terms of Reference (ToR):

1. Devise training modules for imparting training to Officers and Staff of NBA / various ministries of Central Government/departments of State Government dealing in Forestry/Environment/Agriculture/Animal husbandry/Scientists and researchers from various Central/State organisations, NGOs, members of BMCs, farmers and other stakeholders on matters related to Biodiversity and associated traditional knowledge.
2. To frame guidelines for -
 - a. Organising training programs, seminars, conferences, workshops, exhibitions to disseminate information related to biodiversity and implementation of BD Act and exim policy.
 - b. Imparting training at various levels to create an understanding on various aspects of biodiversity and challenges involved in conservation and utilization with benefit sharing mechanism.
 - c. Training Programme for customs officials from 14 major Indian Ports and from all International Airports, which act as entry & exit point, by experts selected by NBA, through a short term Training Programme on the provisions of Biological Diversity Acts and Rules, for effective implementation."
 - d. Training programme on modalities for regulating/curbing the passage or transfer of biological materials for research purposes abroad and also on Normally Traded Commodities.
 - e. To promote, support and assist education and personnel training programmes designed to enhance biodiversity information processing and utilisation capabilities; especially among frontline staff like Range Forest officers, teachers and lecturers imparting education at school and college levels respectively.
3. Short listing potential training institutes / organisations for organizing training programmes to various personnel/stakeholders.
4. To implement the provisions of the Act, there is a need to take up capacity building to simplify, streamline and standardize the understanding of various issues and other matters related to governance of biodiversity as per statutes and rules.

5. Any other related matter which Chairman of the committee would like to include in the terms of reference in consultation with focal point.
6. The NBA may amend TORs keeping in view the emerging requirements.


GUIDELINES

1. The Expert Committees are being constituted mainly to advise NBA on technical, techno-legal, administrative, scientific, statutory and miscellaneous matters as NBA does not have required in house expertise and experience in various disciplines. The performance Audit of NBA was conducted by the office of Principal Director of Audit recently and certain suggestions were made with regard to conduct of Expert Committee meetings and expected outcomes.
2. As per section 50 (7) - Every proceeding before the National Biodiversity Authority (NBA) shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 and for the purpose of section 196, of the Indian Penal Code and the NBA shall be deemed to be Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973. The role of Expert Committee is more or less similar to that of 'Amicus Curiae' in the Court of Law.
3. Hence, in the light of above facts the following guidelines are circulated for all concerned in order to achieve the expected outcomes.
 - a. The member convener of the committee will convene meetings in consultation with the Chairman of the Expert committee and Focal point; the meetings will be conducted preferably in Chennai. The members may come to Chennai one day in advance of the scheduled date of the meeting to avoid possible inconvenience of early morning travel to airport and then journey to Chennai.
 - b. The maximum amount that can be paid towards lodging is Rs. 3000/- per day to Chairperson and Members and others who will be invited to deliberate/advise etc., if the meetings are held at a place other than Chennai. However this may be relaxed by NBA depending upon circumstances. An amount of Rs.500 per day towards boarding charges will be paid in lump sum to each member without insisting on production of bills if the meeting is held at a place other than Chennai. The Chairman, members and other invitees are entitled for an amount of Rs.1000/- as honorarium / fees per day. When travel / tour is to be undertaken the members are entitled for payment of Rs.16/km for AC taxi fare. All are eligible to travel by Air by Indian airlines (economy class) wherever connected.

- c. The lodging, boarding (working breakfast/lunch/dinner) and transport will be provided by the NBA at its cost when meetings are held at Chennai. The NBA will bear miscellaneous expenditure towards First Aid, snacks, tea during tours, meetings and also stationary, CDs, pen drive etc irrespective of the venue of the meeting.
 - d. Whenever a member is not in a position to attend the meetings, he may inform the member convener in advance. No other person can be authorized to represent the member of the committee as the appointment is by name.
 - e. The Focal point i.e, the Secretary, NBA is authorized to participate in discussions of the expert committee. The committee is valid for eight months from the date of issue of this order and shall submit final report before the expiry date.
4. In case of necessity and to facilitate smooth functioning of the Expert Committee, the NBA may amend the guidelines. The members are requested to kindly go through the subject area and refer BD Act 2002, rules made there under, relevant laws, training manuals, scientific articles, books, browse internet, website of NBA and CBD to facilitate lively and useful discussion on the subject.
 5. The committee is requested to kindly submit the proceedings/minutes of every meeting to the NBA duly authenticated by all the members present in the meeting. It is requested that in order to finalise and authenticate the minutes, the members may not plan their return journey on the same day as the meeting may extend to late hours in the evening. In case, the minutes cannot be finalised on the same day of meeting the Chairman may get the minutes finalized at later dates and send the document to NBA duly authenticated by all members who were present in the meeting. In that case a lumpsum amount of Rs.2000/ will be paid additionally to the Chairman in this regard to meet the postal expenses, mobile, internet charges and cost of Secretarial assistance at his place of stay.
 6. The Chairman may select two / three members to assist him in drafting and finalizing the minutes after every meeting.
 7. One visit to North Eastern States by the committee is compulsory to hold discussions with senior state Government officials, Chairman /Member secretaries of the State Biodiversity Boards, to assess the specific training requirements of the region.

8. The Hon'ble Minister of Environment and Forests, Government of India desired that the expert committees should take up the work with all seriousness to solve critical problems faced by the nation in the conservation, utilization and equitable sharing of the benefits arising out of the utilization of bio resources and enforcement of provisions of Biological Diversity Act, 2002.

This is issued with the Approval of the Chairman, National Biodiversity Authority.


(C. Achalender Reddy)
Secretary, NBA

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- ✓14. Dr. K.P.Raghuram, Technical officer (Benefit sharing) NBA, Chennai
15. PS to Chairman/PS to Secretary.
16. Administrative officer, NBA, Chennai.
17. Accounts officer, NBA, Chennai.
18. Shri. C.Achalender Reddy, I.F.S., Secretary, NBA, Chennai -600 113.