राष्ट्रीय जैव विविधता प्राधिकरण
National Biodiversity Authority
(A Statutory Body of Ministry of Environment, Forest and Climate Change, Government of India)

Dr. B. Balaji, IFS
Member Secretary
डॉ. ब. बालाजी, भा.व.से
सदस्य सचिव

5th Floor, TICEL Bio Park, CSIR Road,
Taramani, Chennai - 600 113, Tamil Nadu, India.
5वां तल, टाइसल बायो पार्क, सीएसआईआर रोड,
तरमणि, चेन्नई–600 113, तमिल नाडु, भारत.
☎+91 44 2254 1071 secretary@nba.nic.in

NBA/Law/EC/9/14/69/26/27/840 10.08.2026

OFFICE ORDER

Sub: Reconstitution of the Expert Committee on Access and Benefit Sharing (ABS) for evaluation of ABS applications received by the National Biodiversity Authority (NBA) and to advise NBA on matters related to implementation of the ABS mechanism in the light of the Biological Diversity (Amendment) Act, 2023 – reg.

Ref:1) Office Order No. NBA/Tech/EC/9/14/33/2018/18-19/3843 dated 26.12.2018
2) Office Order No. NBA/Law/EC/9/14/69/23/23-24/1648 dated 21.09.2023
3) Office Order No. NBA/Law/EC/9/14/69/23/23-24/2631 dated 03.01.2024.

The National Biodiversity Authority (NBA) had constituted the Expert Committee on Access and Benefit Sharing (ABS) on 26.12.2018 vide reference no.1 cited above. Keeping in view of the complexity and importance of implementing the ABS mechanism, and in exercise of the powers conferred under Sub-Section (2), Section 13 of the Biological Diversity (Amendment) Act, 2023, the NBA re-constituted the Expert Committee through orders issued vide reference no.2 and reference no.3. cited above. Upon expiry of the tenure of the Expert Committee, the NBA hereby re-constitutes the Expert Committee on ABS with the Composition detailed below. The Expert Committee will evaluate ABS applications submitted to the NBA, examine related techno-legal issues and provide recommendations to the NBA.

	CHAIRMAN
1.	**Padmashri Dr. P.L.Gautam,** Ex-Chairperson, NBA and Ex-Chairperson, PPVFRA, Mobile: 9459376233 Email: *plgautam47@gmail.com*
	CO-CHAIR
2.	**Dr. J. Justin Mohan, IFS.,** Additional Chief Conservator of Forests (Eco-development and Tribal Welfare / Forest Land Resources) & Member Secretary, State Forest Development Agency, Forest Headquarters, 4th Floor, "Vanalakshmi", Vazhuthacaud, Thiruvananthapuram-695014. Mob: 9095667589. Email: jjustin.mohan@gov.in *jjustinmohanifs@gmail.com*

3.	**The Joint Secretary (Seeds)**, Department of Agriculture Cooperation and Farmers Welfare, Ministry of Agriculture & Farmers Welfare, Room No: 2381, Krishi Bhawan, Rajendra Prasad Road, New Delhi 110001 Email: aswani.hub@nic.in Phone No: 011-23382937, 011-23073225.
4.	**Representative of the Chairperson, Protection of Plant varieties and Framers Rights Authority**, Govt of India, Ministry of Agriculture & Farmers Welfare, Department of Agriculture and Farmers Welfare, NASC Complex, DPS Marg, Opp-Todapur Village, New Delhi- 110012. Phone No:011-25848127, Email: chairperson-ppvfra@nic.in
5.	**Representative of the Controller General of Patents, Designs and Trade Marks,** Boudhik Sampada Bhavan, Antop Hill, S.M.Road, Mumbai-400037. Phone No: +(91 22) 24132735, Email: cgoffice-mh@nic.in
6.	**Representative of the Director General of Foreign Trade, (DGFT)**, Ministry of Commerce & Industry, Government of India, Udyog Bhawan, H-wing, Gate No: 2, Maulana Azad Road, New Delhi-110001 Phone No: 011- 23061562, Email: dgft@nic.in
7.	**Representative of the Director, National Bureau of Plant Genetic Resources**, Pusa, New Delhi- 110012. PhoneNo:011-25843697Email: director@nbpgr.ernet.in & director.nbpgr@icar.gov.in
8.	**Representative of the Chief Executive Officer, National Medicinal Plants Board,** Ministry of Ayush, Govt. of India, Indian Red Cross Society (IRCS), Annexe Building, 1st & 2nd floor, 1,Red Cross Road, New Delhi-110001, Phone No: 011-23721822 Email: ceo-nmpb@nic.in
9.	**Representative of the Director, Institute of Microbial Technology,** 39A, Sector 39A, Chandigarh, 160036, Phone No: 0172-2880100 Email: director@imtech.res.in
10.	**Dr. Sunil Pareek, Professor and Dean** (Post Graduate Studies), National Institute of Food Technology Entrepreneurship and Management (NIFTEM), 97, Niftem Rd, HSIIDC, Industrial Estate, Kundli, Sonipat, Haryana 131028. Phone No: +91 -130-2281024, Mobile: 70567 21483. Email. sunil.pareek@niftem.ac.in

11.	**Dr. Nitin Jain, Scientist** 'H' Department of Biotechnology, Ministry of Science & Technology, CGO Complex, Block No:2, Lodhi Road, New Delhi- 110003. Email: nitink.jain@nic.in.
12.	**Dr. Gouri Joshi**, Environmental legal Consultant, Anuradha, Sanjeevraje Nagar, Phaltan, Pune, Maharashtra-415523. Email: bonjaee.envirolegal@gmail.com

Dr. B. Balaji, IFS., Member Secretary, NBA	CONVENER & FOCAL POINT
Shri. K. Chitrarasu, Advisor (Law), NBA	CO-ORDINATOR

2. The Terms of Reference (ToR) of the Committee shall be under:

a) To consider and evaluate the ABS applications as per the provisions of the Biological Diversity Amendment Act, 2023; the Biological Diversity Rules 2024 and Guidelines on Access to Biological Resources and Associated Knowledge and Benefit Sharing Regulations, 2025.

b) To consider and evaluate the ABS applications which are received by the Members through electronically and provide the recommendation including benefit sharing component, on the same to NBA through electronically.

c) To fix the benefits sharing mechanism (monetary and/ or non-monetary) including upfront payments, on case by case basis.

d) To record the reasons/ basis on which decisions such as restrictions of access, conditions for access, contravention of the provisions of the Act, rejection etc., are taken on the applications.

e) To examine the applicant's plea for revision of benefit sharing component and other issues, on a case by case basis.

g) To provide recommendations on techno-legal matters as and when required.

h) To form sub-committees, as and when required, to discuss and provide recommendation on techno- legal issues.

i) To examine and give advice to NBA on any other matter referred to EC on ABS.

4. The NBA may amend the ToRs, if required.

5. The Tenure of the committee shall be for **6 months** from the date of issue of this order.

6. The guidelines for the Expert Committee shall be referred to in Annexure.

7. The Member Secretary, NBA will be the focal point and he will participate and express his opinion in the meetings.

8. The Chairperson, NBA may also witness the proceedings and express his opinion in the meetings.

9. The Chairman of EC in consultation with the Chairperson, NBA can (i) invite additional experts in the subject matter, if required to the meeting of EC as a special invitee, (ii) to hold or conduct meeting in any part of India, if it is deemed fit, to expedite the task assigned in consultation with the NBA.

This is issued with the approval of the Competent Authority.

(Dr. B.Balaji)
Member Secretary, NBA

Annexure

GUIDELINES

The following guidelines are issued for proper conduct of the meetings to achieve the expected outcomes.

l) 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 the required in-house expertise and experience in various disciplines. The role of expert committee is more or less similar to that of 'Amicus Curiae' in the court of Law.

2) The Chair of the EC is authorized to decide the mode of the meeting to be convened either physical or through virtual mode or Hybrid mode.

3) Member Secretaries from State Biodiversity Boards (SBBs) may be invited as Special invitees by the NBA Secretariat exposing them to techno-legal processing of various types of applications and also give them opportunity to contribute to the processing of ABS applications.

4) The Chairman and members are requested to kindly make it convenient to attend the meeting at the fixed venue and time. The NBA will arrange transport from Airport / Railway station / bus stand to and from the venue of the meeting.

5) The travel cost by Air (economy class)/train (AC-I class /AC II tier)., incurred by the Chairman and the members / invitees shall be reimbursed on production of the tickets and boarding pass along with bills in the prescribed format provided by NBA. The lodging and boarding will be provided by the NBA. The AC taxi fare will be reimbursed as and when the bill is produced with TA-Bill. Alternatively, road mileage will be paid based on declaration of Kilometers.

6) As per the directions issued by the Ministry of Finance vide O.M. no. No.19024/2212017-E.IV, dated 16th February 2022, the Members are required to purchase the ticket from three authorized travel agents viz. M/s Balmer Lawrie & Company limited (BLCL), M/s Ashok Travels & Tours (ATT) and Indian Railways Catering and Tourism Corporation Ltd. (IRCTC). The submission off boarding pass shall be mandatory for reimbursement by the NBA.

7) As per OM. No.: C-1202513 12022-CS III dated l5s March 2022 issued by Ministry of Environment, Forest and Climate Change, the Chair, Co-Chair are entitled for Rs.6000/- per day of sitting and all members of the EC are entitled for Rs.4000/- per day of sitting.

8) The Chairman and members may preferably arrive at the city of venue one day in advance before the scheduled date of meeting.

9) The committee is requested to submit the proceedings / summary of discussions to the NBA duly authenticated by all the members. In order to finalize and submit proceedings / summary of the discussions held during the meeting on the same day, outstation members are requested to plan their return journey on the next day of the meeting. Under exceptional circumstances the Chairman may get the proceedings / summary of discussions finalized at later dates and send the document to NBA duly authenticated by all members who were present in the meeting. For this the chairman/co- chair may send the draft to all members through E-mail to authenticate/agree & reply accordingly, for which 2 days' time may be given failing which the proceedings/ summary of discussions are deemed to be approved. In such case, a lump sum of Rs.3000/- will be paid to the chairman to meet the postal expenses, mobile, internet charges and cost of secretarial assistance at his place of stay. For payment of lump sum, a declaration may be made by the chairman to the effect that the expenditure has been incurred for the above purpose.

10) In the absence of Chairman, the Co-Chair will conduct the proceedings of the meeting. The meetings of the EC shall be held as per the dates fixed by the NBA.

1l) All members of the committee are requested to kindly go through the subject area and refer BD Act 2002 and the Amendments and Rules made thereunder, the Guidelines on Access to Biological Resources and / or Associated Knowledge and Benefits Sharing Regulations,2014, Guidelines for operationalization of BMCs, relevant laws, scientific articles, and books, browse internet to facilitate lively, purposeful and useful discussion on the subject.

12) The Chairman, Co-chair and members may kindly exchange notes and views through internet on the subject area to be discussed during the meeting.

13) The Chairman, Co- Chair & members are requested to refrain from criticizing policies of Central or State Governments.

14) Given the sensitivity and nature of deliberations of the Committee, members are requested not to engage in any bilateral discussion with the non-members regarding subject matter dealt with. However, they can collect information from non-members working in similar autonomous, statutory bodies and scientific institutions that may be useful for the expert committee.

l5) The Member Secretary, NBA is authorized to invite any other experts/professionals to the meetings of the expert committee as special invitees, after taking prior approval of the Chairperson, NBA

16) The Chairperson, NBA may include additional members in to the EC, as appropriate.

17) The Chairman & Co-chair are authorized to constitute Sub-Committees to prepare position papers, notes, concept papers on specific topics referred to it by NBA. Further, they are authorized to invite a few members of EC having expertise in a particular subject area for discussions and develop working drafts to be discussed in full meetings, where all members will be present. For meetings of such small teams, the venue & dates will be decided by Chair of EC in consultation with Member Secretary, NBA.

18) The Chairman & Co-chair are authorized to select a few members of the committee to form a small team (4-5 members) including Chairman and Co-Chair while undertaking visits to any area, institution if required. Prior permission from Chairperson, NBA shall be sought, for such visits/tour.

19) The Chairman/Co-Chair may conduct meeting anywhere in India in consultation with Chairperson, NBA.

20) The NBA reserves the right to modify/add new guidelines.

21) The Chairperson, NBA reserves the right to disband the committee without assigning any reason.

22) The members should inform Secretary, NBA and Chairman of Expert Committee if there is a conflict of interest at any time during the validity period of EC.

23) The recommendations submitted by the expert committee is recommendatory in nature and the recommendations are not binding on NBA.

This is issued with the approval of the Competent Authority.

(Dr. B.Balaji)
Member Secretary, NBA