





NATIONAL BIODIVERSITY AUTHORITY

PROCEEDING OF THE 50th AUTHORITY MEETING

10th-11th December 2018

Venue

Conference Hall,
National Biodiversity Authority,
Chennai

Proceedings of the 50th Authority Meeting of the National Biodiversity Authority held on 10th and 11th December 2018.

The fiftieth Authority meeting of the National Biodiversity Authority (NBA) was held on 10th and 11th of December 2018 at the Conference Hall, National Biodiversity Authority, Chennai and was chaired by Dr. B. Meenakumari, Chairperson, NBA. The list of participants is placed at **Annex-I.**

At the outset, the Chairperson, NBA extended a warm welcome to the members and briefed about the activities of NBA from the last Authority meeting. The Chairperson mentioned about the successful participation of NBA, CEPBOL and MoEF&CC in the Fourteenth meeting of the Conference of the Parties (COP-14) to the Convention on Biodiversity held between17th-29th November 2018 at Sharm El- Sheikh, Egypt. She also informed the members about organizing a side event by NBA, MoEF&CC, UNEP, GEF, GIZ, UNDP, CEBPOL, UNU-IAS on "India's insights from head starting the implementation of Access and Benefit Sharing and launch of an online course on ABS" at COP-14 on 27th November 2018.

NBA had organized a Human resource development training program for the staff on 6th and 7th December, 2018.

The Secretary, NBA then apprised about the status of ABS applications received, trends in receipt of application and their disposals.

Thereafter, the agenda items were considered as under:

50.01: Action taken report of the 48th Authority meeting

The Authority in the 48th Authority meeting had decided that the applicant who had applied in Form III and had accessed bio resource without the approval of NBA, should apply under Section 3(1) to access the bio resources from India for doing research and then consequently Form III would be approved with the Benefit sharing kept at 1%, 5% and 5% on the commercial utilization of the process/ product/ innovation; on the fee received in any form including the licensee/assignee; of the royalty received annually from the assignee/licensee respectively. A total of 16 Form I applications have been received of the cases that were considered under the O.M. dated 10-09-2018 issued by MOEF&CC under Section 48 of the Biological Diversity Act.

Decision: 1. Members noted the action taken.

Action: Secretary, NBA

50.02: Access and Benefit Sharing of M/s Ultratech India. Ltd

M/s Ultratech India Ltd., New Mumbai 400 705 submitted Form III application (Application No. 724) on 20.02.2014 seeking prior approval of NBA for obtaining patent (1519/MUM/2012) for the invention titled “Herbal composition for vaginal treatment”. The applicant used five biological resources procured from M/s. Konark Limited, a vendor in Mumbai. The Application was placed in the 35th

EC on ABS, which recommended for approval with benefit sharing as per Regulation 9 of the ABS Regulations, 2014 and the 36th Authority approved it. The Applicant, on 24.05.2016, executed the ABS Agreement. As on date, the patent is yet to be granted.

In their annual report submitted to NBA dated 29.07.2017, the Applicant intimated that they have developed a product based on the invention, viz. “18 Again” and furnished the ex-factory sale figure during the period from July 2016 to June 2017 as Rs.10.16 lakhs. The Applicant, having commercialized the invention, shall pay a benefit sharing of 0.2% of the annual gross ex-factory sale of the product which shall be worked out based on the annual gross ex-factory sale minus government taxes, as per the benefit sharing clause approved by the Authority, after the grant of the patent.

Now, the Applicant has sent the benefit sharing amount before the grant of the patent. However, the benefit sharing obligation is triggered only after the grant of patent as per the Benefit sharing agreement. Members discussed whether the amount can be accepted. It was also informed that when patent is granted, it will be from the date of filing of the patent. So, any commercialization during such period i.e. from the date of filing of the patent would come under the purview of Section 6 of the Biodiversity Act, 2002. If, the patents are not granted, then such activities would be out of purview of the Section 6 of Biodiversity Act, 2002.

The members of the Authority discussed the instant case and deliberated that NBA should accept the benefit sharing amount from the Applicant. The

members also mentioned that a prior intimation regarding the benefit sharing has to be given to the Maharashtra SBB from whose jurisdiction the biological resources were accessed.

The Authority deliberated that in future, the benefit sharing should be accepted from the applicant only after the patent is granted. However, the amount should be calculated from the time of commercialization.

Decision: 1. NBA to accept the benefit sharing amount given by M/s Ultratech India Ltd.

2. A prior intimation regarding the benefit sharing to be sent to Maharashtra SBB.

3. NBA should accept the benefit sharing from the applicant only after the patent is granted from the time of commercialization of the invention in the future.

Action: Secretary, NBA

50.03: Details of Form-C applications received by the NBA

The Authority, in its 37th meeting held in March 2016 under agenda item 37.14.02, decided that the Indian researchers / scientists should provide prior intimation to the NBA in the prescribed format *viz.,* Form – C for deposition of microorganisms in other country's repository for claim of novel species for publication in journals. However, if any non-Indian person / entity intend to access the deposited Indian biological resource from the foreign repository, he/she should obtain the prior approval of NBA as per Section 3 of the BD Act, 2002.

2. NBA has received 88 such intimations since March 2016 – September 2018 and the same have been reported to the Authority from time to time. Since July, 2018, the Secretariat has received seven (7) Form-C applications of which four (4) intimations received through online and three (3) through offline.

Decision: Members noted and ratified the action taken on the Form- C applications by NBA.

50.04: Proceedings of the 52nd Meeting of Expert Committee on Access and Benefit Sharing on ABS held on 04th December 2018 at NBA, Chennai

The 52nd meeting of the Expert Committee on Access and Benefit Sharing (EC on ABS) was held on 04th December 2018 at the National Biodiversity Authority, Chennai. A total of 63 applications were placed before the EC for examination. While examining the ABS applications, the EC has also made their recommendation on generic issues as under:

- The members felt that the categorization of cases of applications involving contravention has speeded up the processes under the Ministry's OM.
- EC on ABS observed that for the collection of air samples, the present upfront guidelines do not contain any provision. Hence, the EC recommended that upto 25 petri dishes/plates may be taken as one Unit. The same may be incorporated in the guidelines suitably. (Annexure 2)
- With regard to the traditional knowledge holders applications submitted by NIF, Ahmedabad, EC felt that clarifications on the holding of TK by

individuals/ community is required and hence, a representative of NIF may be invited for the next meeting of EC.

Forty two Form-III applications and eight (8) Form-I applications were recommended for approval by the 52nd meeting of EC on ABS for ratification

Decision: 1.The Authority approved the recommendations of the EC on ABS and also agreed that, 25 petri dishes/plates can be taken as one Unit for the collection of air samples.

2. The amended guidelines are given in Annexure 2

50.05: Dealing with O.M. dated 10-09-2018 issued by MOEF&CC

NBA has received an Office Memorandum dated 10.09.2018 issued by Ministry of Environment & Forests and Climate Change under section 48 of the Biological Diversity Act for enhancing implementation of the Act quoting that large numbers of entities are not fully aware of the provisions of the BD Act but is desirous of complying with the same.

Accordingly, the above O.M was placed in the 47th Authority meeting as Agenda item no. 47.10 and the Authority asked NBA to constitute a committee to examine the Scientific Evidence of the ABS Applications and accordingly committee has been duly constituted and met one occasion (2 days on 01.11.18 & 02.11.18) and examined the applications and gave their recommendations.

The applicants **(35 applications)** who were already issued 19(3) notices and not presented their case in the earlier Authority meeting held on 29.10.2018

& 15.11.2018 and those who sought extended time including those applicants not responded so far were invited for hearing before the Authority meeting for disposal under Para 4 and 5 of the O.M No. C-12025/8/15-CS –III dated 10.09.2018 issued by MoEF&CC.

. After considering, recommendations of the committee of experts constituted by NBA to scrutinize these cases for scientific evidence, Member discussed about the benefit sharing in cases were patents have been granted elsewhere without the prior approval of NBA. Secretary NBA explained that the EC on ABS follow a sectoral approval and whenever traditional knowledge is involved, it usually doubles the benefit sharing percentage. The members agreed that the benefit sharing may be kept at

- 1% on the annual gross ex-factory sale minus government taxes where the applicant himself/herself commercializes the process/ product/ innovation
- 5% on the fee received in any form including the licensee/assignee fee, if the applicant assigns/licenses the process/product/innovation to a third party for commercialization
- 5% of the royalty amount received annually from the assignee/licensee

A total of 39 applications (Form I- 7; Form II- 2; Form III- 28 and Form IV- 2) were placed before the 50th Authority meeting. 16 applicants attended the hearing, 23 applicants gave written submission through mail and two were considered for direct submission. . Members suggested that the applicants who had failed to get approval under Section 3(1) to access the bio

resources from India for doing research, shall seek the approval of NBA under Section 3(1) and inform them to submit application under Section 3(1).

The applicants were advised to take proactive steps to educate their staff, partners and collaborators about the provisions of the Act. It was decided that in all the cases, the applicants shall organize awareness programs with regards to with compliance to BD Act and submit report to NBA within three months after signing the agreement. In case Form I application where approval is sought to do research on bio resource obtained from India by industries, an upfront payment as per the approved guidelines may be included while communicating the approval.

M/s. Evonik Industries AG, submitted an application in Form I (Application No.-636) to access two vials of permanent strain cultures of bio-resources (*Thraustochytrid* and *Schizochytrium limacinum)*. The said vials were proposed to be accessed from M/s. Avesthagen Ltd. Bengaluru. M/s. Avesthagen is an entity under Section 3(2) of the Biodiversity Act, 2002 who has not obtained prior approval under the Act to access bio-resources. M/s. Avesthagen have also obtained patents from ten countries without prior approval under Section 6 of the Biodiversity Act, 2002. The members of the Authority opined that the access by M/s. Avesthagen should first be regularized by applying in Form I before 18th December, 2018 as they had obtained the bio-resource without the required prior approval under the Biodiversity Act, 2002. Till the access of bio-resource by M/s. Avesthagen is regularized, the access of the bio-resource from M/s. Avesthagen by M/s. Evonik Industries AG cannot be agreed to. This application is closed.

M/s. Charak Pharma Pvt Ltd (Form III-102) who had appeared in the hearing of the 49th Authority meeting and had mentioned that they were not ready to agree with the terms of Benefit sharing and sign the Agreement but will revert back. The Applicant reverted back and appeared in the hearing of the 50th Authority meeting and mentioned that they have agreed to the terms of Benefit sharing and will comply with the Biodiversity Act, 2002. The members of the Authority then decided and asked the applicant to give an Undertaking in an Affidavit that they have agreed to comply with the Biodiversity Act, 2002 along with a fresh Form III application.

The lists of recommendations given by the Authority for the Applications are provided in Annexure 3.

It was informed that so far 23 fresh applications have been received to be considered under the O.M. dated 10-09-2018 issued by MOEF&CC. It was also informed that more applications may be submitted by applicants by 18th December, 2018. The members of the Authority discussed the course of action and deliberated that the applications that are received until 18th December 2018 should be scrutinized in a fast track mode. Form I applications that are received during this period where the bio resource and will be accessed in the future will be sent to the respective SBBs giving 15 days for their concurrence. The Form I applications for which the bio resource have already been accessed and will not be further accessed need not be sent to the respective SBBs for concordance but the decision taken by the Authority will be communicated to the SBBs.

Further, an Expert Committee meeting on Access and Benefit Sharing (EC on ABS) can be held sometime on January 2nd week of 2019. The members decided to have the 51st Authority meeting on 24th January 2019 in Chennai.

Decision: 1. The Authority approved the Form III applications with the Benefit sharing kept at kept at 1%, 5% and 5% on the commercial utilization of the process/ product/ innovation; on the fee received in any form including the licensee/assignee; of the royalty received annually from the assignee/licensee respectively given in Annexure 2.

2. The Authority asked the Form III applicants who are 3(2) entities to apply in Form I for access of the bio resource for which research has already been carried out if they have not taken prior approval from NBA

3. The applicants shall furnish an undertaking that provisions of BD Act shall be compiled with in the future.

4. The clauses in the approvals (agreements) may be modified appropriately by the NBA Secretariat.

5. The Authority asked NBA to speed up the process of scrutiny of the Forms that will be applied before 18th December 2018. Form I applications that are received during this period where the bio resource have been accessed and will be accessed in the future will be sent to the respective SBBs for concordance and the respective SBBs to revert back in 15 days. Secondly, the Form I applications for which the bio resource have already been accessed and no further access is required need not be sent to the respective SBBs for concordance but the decision taken by the Authority will be communicated to the SBBs.

6. The 51st Authority meeting to be held on 24th January, 2019 in Chennai.

Action: Secretary, NBA

50.06: To consider recommendations of the proceedings of 10th meeting of the NBA's Expert Committee on Agro-biodiversity held on 12th October, 2018

The 10th meeting of the Expert Committee on Agro-biodiversity was held on 12th October, 2018 at the NBA, Chennai under the chairmanship of Dr.R.S.Rana, former member, NBA. Five issues were discussed i.e. 1. Export of seeds of crop varieties and embryos of farm animals 2. Protection of traditional knowledge of local communities associated with their registered farm animal breeds 3. Gap analysis of *ex situ* conservation of Agro-biodiversity and strategy for gap filling; 4.Developing strategy for promoting *in-situ* on-farm conservation of Agro-biodiversity; & 5. Identifying Agro-biodiversity Heritage Sites for notification under the BD Act and made their recommendations.

The Authority members discussed regarding the ABS issues related to export of seeds of Crop varieties (Agenda item 2 of the 10th Meeting of the NBA-Expert Committee on Agrobiodiversity). Dr. Sujata Arora mentioned that the MoEF&CC, in response to a communication received from the Department of Agriculture, Cooperation and Farmers Welfare (DAC&FW) requesting to declare seeds and planting materials of 155 crop species covered under the Seeds Act 1966 as normally traded commodities under Section 40 of the Biological Diversity Act, had informed about the recommendations of NBA's Expert Committees on NTACs and Agrobiodiversity on the matter which were endorsed by the Authority. The MoEF&CC had also offered to have a meeting with DAC&FW on the matter if they so desire. However, no further communication has been received from DAC&FW so far in response to this letter from MoEF&CC. Chairperson opined

that a letter can be sent to MoEF&CC requesting the Ministry to convene a meeting with the Ministry of Agriculture regarding the Export of seeds of crop varieties.

The members discussed on the protection of Traditional knowledge of local communities associated with their registered Farm animal breeds (Agenda item 3 of the 10th Meeting of the NBA-Expert Committee on Agrobiodiversity) where members opined that a legal opinion is required to take further action.

The members discussed the gap analysis of ex-situ conservation of Agro-biodiversity and strategy for gap filling proposal and deliberated that project proposal required revision regarding the partitioning of the consolidated funding requirements of the two components and decided to write to ICAR regarding the funding of the proposal.

Decision: 1. NBA to write a letter to MoEF&CC requesting the Ministry to convene a meeting with the Ministry of Agriculture regarding the Export of seeds of crop varieties.
2. To seek legal opinion on protection of Traditional knowledge of local communities associated with their registered Farm animal breeds
3. To write to ICAR regarding the proposal on gap analysis of ex-situ conservation of Agro-biodiversity and strategy for gap filling

50.07: Any other information with the permission of the Chair.

50.07:01: Confirmation of Proceedings of the 49th Authority meeting

The draft proceedings of the 49th Authority meeting of the National Biodiversity Authority held on 15th November, 2018 at Chennai was circulated to the Members for seeking their comments.

Decision: 1. The members confirmed the proceedings of the 49th Authority Meeting.

50.07:02: Enhancing compliance of BD Act set for non-commercial research

Dr. Darshan Shankar expert member with the permission of chair placed before the Authority, a proposal to facilitate, especially the non-commercial research on biological resources under the Biodiversity Act, 2002. Ever since the enactment of the Biodiversity Act, 2002, around 400 applications have only been received for research. The research on biological resources is undertaken through Institutes of DBT, DST, CSIR, ICAR and others. In order to enhance the compliance of the Act for non-commercial research, these institutes may be encouraged to establish a mechanism for compliance under the Biodiversity Act, 2002. The heads of these Institutes will assume responsibilities for such compliance.

Members agreed that the approval for non-commercial research under the Biodiversity Act, 2002 is low. Efforts are required to create more awareness among the stakeholders who use bio resources to comply with the Biodiversity Act, 2002. Members opined that an internal discussion is to be done before proceeding on this matter.

Decision: NBA Secretariat may examine this and put up a brief report for the consideration of the Authority in the next meeting.

50.07:02: CEBPOL

Chairperson informed the members that Centre for Biodiversity Policy and Law (CEBPOL) was established in NBA under the bilateral co-operation between

Government of India and Government of Norway. The total budgetary allocation of this project is Rs. 17,45,08,708 (Indian Fund= Rs. 4,30,00,001[24.64%]; Norwegian Fund= Rs. 13,15,08,707 [75.36%]). The project which works on certain identified thematic areas like ABS, multi-lateral Environmental agreements, Invasive Alien species and nature index ends on 31st December, 2018. The project team at NBA comprises of three consultants, three fellows and four administrative staff.

The project team over the time had acquired specialized skills and knowledge in their respective fields. This team also provides technical inputs on various issues to NBA and the Ministry from time to time. The budgetary support from the Norwegian Government will end in 2018. While appreciating various activities undertaken by CEBPOL, reports published under the project, members highlighted its relevance and continuance.

Decision: Members agreed in principle for the continuation of CEBPOL. NBA may take up with MoEF&CC and other donor agencies for funding.

50.07:03: An interaction to commemorate the 50th Authority meeting on 11th December, 2018

A gathering of ex- Secretaries of NBA, ex- Authority members and other invited guests to commemorate the 50th Authority meeting was organized by NBA on 11th December, 2018. The list of the participants is given in Annexure 4. The invited guests shared their experiences with NBA from its inception, the hurdles that they faced and the growth of it. They also gave valuable inputs to strengthen the implementation process of the BD Act, 2002

Some of the suggestions given by the invitees are as follows:

a. Dr. S. Subramanian suggested the need for district level coordination for effective implementation of the BD ACT, 2002

b. Dr. Darshan Shankar suggested that NBA may enhance the compliance of BD Act , 2002 by delegating the responsibility to the users of bio-resources such as Government sponsored institutes under DBT, DST, ICAR and CSIR.

c. Prof. M.K.Ramesh highlighted the techno-legal nature of BD Act. He appreciated the role played by NBA as a regulator, law enforcement and educator. These varied roles pose a challenge but is also an opportunity for effective implementation of BD Act, 2002.

d. Dr Sujata Arora and Dr. Sanjay Kumar appreciated the efforts taken by NBA to create awareness about the provisions of the Biodiversity Act and also on developing online application platforms for the ease of the researchers and Institutes in spite of having very small manpower in hand.

e. The members recommended the need for a research wing or centre on biodiversity policy and law.

f. NBA may bring out a publication to showcase NBA achievements so far

g. India is a leader in the implementation of Nagoya protocol and ABS, with this experience, how to achieve the full potential thereby fulfilling the other objectives of the Act may also be worked out.

ANNEXURE-1

List of Participants

Official Members

1. Dr (Mrs) B.Meenakumari
Chairperson,
National Biodiversity Authority, Chennai

2. Dr Sujata Arora
Adviser / Scientist 'G'
Ministry of Environment, Forest and Climate Change Government of India
Room No. V 235, Vayu Block, Second Floor Indira Paryavaran Bhawan
Jor Bagh Road New Delhi-110 003

3. Dr. Sanjay Kumar,
Director,
CSIR - Institute of Himalayan Bio resource Technology P O No:6,
Palampur, Himachal Pradesh: 176061

Non-Official Members

4. Dr. Yogesh Shouche
Senior Microbiologist,
National Centre for Cell Science
Department of Biotechnology Lab,
University of Pune Campus,
University Road, Ganeshkhind,
Pune, Maharashtra – 411 007

5. Dr. Parimal Bhattacharjee
Professor & Head,
Department of Zoology,
A/3 Asiyana Housing Complex Maligon
Guwahati-781011

6. Shri Darshan Shankar,
Chancellor,
Trans Disciplinary University, C/o Foundation for Revitalization of Local Health Traditions (FRLHT),
74/2, Jarakabande Kaval, Post Attur via Yelahanka, Bangalore - 560 064

7. Shri. D. Sathiyan, IFS
Conservator of Forests.
Regional Office. Chennai.
Ministry of Environment. Forest and Climate Change
Ist and IInd Floor, Handloom Export Promotion Council,
34, Cathedral Garden Road, Nungambakkam,
Chennai – 34

Secretary to the Authority

Shri. T. Rabikumar, IFS
Secretary, National Biodiversity Authority,
Chennai –600 113

Annexure 2

Guidelines for upfront payment

Amount of Upfront Payment for Access to Biological Resources for research or bio-survey and bio-utilization leading to commercial utilization				
Purpose	1. Quantity of biological resource for one species upto 5Kg of biomass per site; 2. Upto 500 gm or 500 ml of soil, water (microorganisms) respectively per site **3. 25 petri dishes/plates may be taken as one Unit for air samples ***			**Traditional knowledge associated with bio-resource**
	Biological resources			
	From natural habitat[1]	**From cultivated source/ institution / Industrial effluent and waste[1]**	**Threatened species from natural habitat**	
1	2	3	4	5
Nutraceutical or Agricultural	Rs.10,000 per collection	Rs.3,000 per collection	Rs.15,000 per collection	30% more than the normal rate
Pharmaceutical, Chemical and Diagnostic	Rs.15,000 per collection	Rs.5,000 per collection	Rs.20,000 per collection	30% more than the normal rate
Cosmetics and Luxury products	Rs.20,000 per collection	Rs.7,000 per collection	Rs.30,000 per collection	30% more than the normal rate
Environmental bio-remediation or waste conversion/ recycling	Rs.2,000 per collection	Rs.1,000 per collection	Rs.4,000 per collection	---
Other Research	Rs.5,000 per collection	Rs.2,000 per collection	Rs.10,000 per collection	30% more than the normal rate

1. *For bioresources available in abundance, the upfront payment will be calculated @ 50% of the amount prescribed at col.no.2 & 3 for every 50 kg / site / collection. This formula will not be applicable for microorganism.*

2. *Quantity of biological resources will be decided by NBA on case by case basis.*

Calculation of Payment:

a) aggregate of each species multiplied by quantity, multiplied by number of collection & multiplied by number of sites;

b) wherever the soil/water is being accessed the basis of assessment for this purpose shall be in terms of ml/mg, as the case may be, multiplied by number of collection &multiplied by number of sites.

Note: 1. The accrued amount will be shared as per the provisions given in the ABS Regulations, 2014
2. Above rates may be revised from time to time.

ANNEXURE-3
List of Applicants attended the Hearing

Sl No.	Applicant	Names	Form	Application Nos	Number of Applications	Remarks
1	M/s Sanzyme Private Ltd	Divya M.; B. Karthik-Khurana & Khurana	III	1204	1	Draft Agreement to be sent
2	M/s Livie Biopesticides Ltd	K & S Partners	III	1440	1	Declaration letter for name change of the company
3	Vittal Mallaya Sci. Research Foundation	K & S Partners	III	2131	1	Applicant to apply in Form I
4	M/s. Praj Industry		III	1714	1	Applicant to apply in Form I
5	Dr. Amit Agarwal	S K Associates	III	776	1	Draft Agreement to be sent
6	ICAR	Dr. Balraj S. Param; Dr. Archana	III	1548, 1549	2	Draft Agreement to be sent
7	M/s. Advanta Ltd.	Dr. Elangovan ; Dr. Suhas B.N.	IV	891	1	• Applicant obtained Brinjal seeds from Unicorn and Golden Seeds Ltd in 1994 and 1996 respectively. • Applicant transferred the lines to MAHYCO for which the Applicant applied in Form II in 2014. • NBA after scrutinizing the Form II asked M/s Advanta Ltd to apply in Form IV in 2015 • Applicant mentioned that the research on transforming Brinjal lines to genetically modified Brinjal lines was stopped in 2015 and there is no ongoing research related to it **Decision** a. Applicant to apply in Form I as joint applicant with MAHYCO before 18th December 2018. b. Undertaking to be given that no research has been carried out and is deposited in the Germplasm repository. c. Applicant to give in writing for the closure of Form IV.
8	M/s. Wacker Metroark Chemical Pvt. Ltd.	Mr. Anjan Sen	III	934	1	Applicant to apply in Form I

9	Mr. Abdul Mueed	Dr. Neeti Wilson	III	137	1	a. Send a draft Agreement. b. Undertaking that no commercialization has taken place.
10	M/s. Anthem Biosciences Pvt Ltd.	Dr. Sangamesh	I	943	1	Draft Agreement to be sent
11	M/s. Rasayani Biologics Pvt. Ltd.	D. Moses Jayakaran	III	1118	1	Undertaking that no commercialization has taken place.
12	Mrs. Wankhedkar Mahalaxmi Kamalkar	A. K. Balaji	III	126-A3	1	a. Undertaking that no commercialization has taken place. b. Agreement to be signed by the agreement
13	Charak Pharma Pvt Ltd.(Special Case)		III	102	1	a. Undertaking in Affidavit that they have agreed to give Benefit Sharing. b. Draft Agreement to be sent to them
	Total				**14**	

Applicants who gave written submission through mail

Sl No.	Applicant	Form	Application Nos	Number of Applications	Remarks
1	Mr. Manoj Kumar	III	1764	1	Draft Agreement to be sent to them
2	M/s. Bose Institute	III	1728	1	a.Undertaking that no commercialization has taken place. b. Draft Agreement to be sent
3	Skanray Healthcare Pvt Ltd.	III	1615	1	Applicant to apply in Form I
4	Shri. Ramakanth Rajaram Gaikwad	III	197, 199, 201	3	a. A letter to be sent asking the applicant to sign the Agreement that has already been sent within a month failing which action will be taken under Judicial authority in their Jurisdiction. b. A clause to be added in the Agreement to send the geographical location of the bioresource. c. BS will be 1% based on ABS guidelines.
5	M/s. Panacea Biotech	III	589, 630	2	Draft Agreement to be sent.
6	Agharkar Research Institute	III	1651	1	Draft Agreement to be sent.

7	Mr. Gary L. Peterson	I	410	1	A letter to the applicant asking for an undertaking that the Applicant has not done any research with the bio resource and the case will be closed after consideration. A copy of this letter will also be sent to USDA.
8	Subramanya	I	366	1	A draft Agreement to be sent to the applicant with a copy to Hongkong University and Maharishi University and covering letter stating that the signing of the Agreement will help in closure of the application
9	Dr. Suneel Pandey	IV	514	1	Undertaking to be given by the Applicant that no research has been carried out and the bioresource has been brought back to TERI
10	M/s. Evonik Industries AG	I	636	1	Can be closed without any action
11	M/s. Avesthagen	II	644	1	It can be considered only after the applicant applies is Form I and after approval, consequently in Form III. The Form II will be considered only after the approval of Form I and III.
12	Dr. Maria Jose Rubio Cabetas	I	606	1	a. A draft Agreement to be sent to the applicant and covering letter stating that the signing of the Agreement will help in closure of the application. b. Undertaking that no research has been carried out and no intention to do further research
13	Miss. Tina Harms & Dr. Miles Dyck	I	838	1	a. A draft Agreement to be sent to the applicant and covering letter stating that the signing of the Agreement will help in closure of the application with a copy to University of Alberta and MSSRF.
14	Dr. Kamalinder Kaur Singh	III	228	1	A draft Agreement to be sent again to the applicant and covering letter stating that the signing of the Agreement will help in closure of the application
15	M/s. Sri Biotech Laboratories India Ltd.	III	1128, 1126	2	Applicant to apply in Form I

16	M/s. Sunev Pharma Solutions Ltd.	III	1055	1	a. A draft Agreement will be sent based on their submission given in 2015. b. A letter to be sent along with the Agreement stating that extracts are bioresources and are not exempted from the purview of the Biodiversity Act, 2002.
17	M/s. Nandan Biomatrix Ltd.	III	443	1	A draft Agreement to be sent also stating that Benfit sharing will be considered from the date of commercialization.
18	Meena A Joshi	III	207	1	a. A draft Agreement to be sent to the applicant and covering letter stating that the signing of the Agreement will help in closure of the application
19	Dr. Priti Kumar, Dr. Ashok Kumar, Dr. Prakriti Kumar and Dr. Adity Kumar	II	1816	1	Applicant to apply in Form I
	Total			**23**	

List of New Violation Applications for the 50th Authority Meeting

Sl No.	Applicant	Form	Application Nos	Number of Applications	Remarks
1	M/s. Bigtech Pvt Ltd.	III	1481	1	A letter to be sent that the Application will be placed in front of the Expert Committee of ABS and then will be considered.
2	M/s. Seagrass Tech Pvt Ltd.	I	2259	1	A letter to be sent that the Application will be placed in front of the Expert Committee of ABS and then will be considered.

Annexure 4

List of participants who attended the 50th Authority meeting Commemoration

1.Dr.B. Meenakumari
Chairperson, NBA,

2. Mr. Rabikumar, IFS
Secretary, NBA

2. Shri Darshan Shankar,
Vice-Chancellor,
Transdisciplinary University

3.Dr.Sujata Arora,
Adviser, MoEF&CC

4. Dr. Sanjay Kumar,
Director, Institute of Himalayan Bio resource Technology

5. Dr.Atmanand
Director, Chair IOCINDIO (UNESCO)
National Institute of Ocean Technology, Pallikaranai

6. Dr Parimal Chandra Bhattacharjee,
(Retd) Professor and Head, Department of Zoology, Guwahati University, Guwahati- 781014, Assam

7. Dr.Subramanian, Former Member

8. Prof. Dr. L. Kannan
Former Vice-Chancellor, Thiruvalluvar University

9.Prof. M.K.Ramesh,
Professor of Law,National Law School, Bangalore

10. Dr.Balaji, IFS, Rtd. Chairman,CESE-NBA

11. Shri R K Ojha, Member, EC on ABS, NBA

12. Dr.Venkatraman, Former Secretary, NBA

13. Dr. N. Mathivanan,
Director and Head,
Centre for Advanced Studies in Botany
University of Madras

14. Shri Udhayan, IFS, Member Secretary, TNSBB

15. Dr. R. Ramanibai,
Former Head & i/c,
Centre for Ocean and Costal Studies,
University of Madras

16. Shri R K Upathyay, IFS,
PCCF, TNFD, Govt. of TN

17. Ms.Sangeetha Rajesh, MSSRF

18. Shri. D. Sathiyan, IFS
Conservator of Forests.
Regional Office. Chennai.
Ministry of Environment. Forest and Climate Change

19. Dr. Nandita Krishna
Director, CPRF