

AGENDA

Sub: First Meeting of the Punjab Biodiversity Board

Background

Biological Diversity or 'Biodiversity' encompasses the variety of life on earth. Ranging from genes, species and ecosystems, it provides goods and services to meet our fundamental needs, as well as, a variety of ecosystem services. However, whereas most third world countries are rich in biological resources and traditional knowledge linked to it, their benefits have been derived mostly by the developed world, without sharing them with the countries of origin of these resources or even without their being aware of their importance and value.

In recognition of this paradox the Convention of Biological Diversity was brought forth at the Earth Summit at Rio in 1992. The Convention recognizes each **country's sovereign rights over its biological resources** and proposes action at international, national & local level for biodiversity conservation, sustainable utilization and equitable benefit sharing.

India is a mega diversity country with over 47000 and 97000 species respectively, of known plants and animals. The Planning Commission Task Force Report, 2000, indicates that India exports herbal materials to the tune of Rs. 4.4 billion which is estimated to reach up to Rs. 30 billion by the end of the current year (2005). The major countries of export include US, UK, Germany, France, Switzerland & Japan. However, this is a meagre percentage of total global trade (estimated to be Rs. 2790 billion as per WHO and poised to grow further). The country is also rich in traditional knowledge linked to biodiversity which is generally in public domain. Most of this is not documented and is open to piracy (like in case of turmeric, neem and basmati patents). Hence, the need to **take measures to obviate misuse of our biological resources and traditional knowledge** and appropriately record the same to establish our ownership in any international court of law.

In response to these challenges, the country took up the preparation of the National Biodiversity Strategy & Action Plan in 2000 and notified the Biological Diversity Act, 2002 and Biological Diversity Rules, 2004 which envisage action at

National, State and Local level. The Act & Rules specify mechanisms for access, research, IPR protection, sharing of benefits and inventorization for protection from biopiracy.

In Punjab, Amritsar is the centre for trade of biological materials (received from within, as well as, from neighbouring states). As per guesstimates the total turnover amounts to over Rs. 200 million per annum. Preliminary enquiries reveal that about ten plant products obtained from Punjab are regularly traded although the potential is much higher. Hence, the need to initiate concerted action at state level to ensure sustainable utilization of such biological materials through active public participation.

As required u/s 22 (I) of the Biological Diversity Act, 2002, the Government of Punjab has notified the State Biodiversity Board vide notification No. 2/41/2000-STE(1)/3949 dated 23.12.04. The board is required to meet at least three times every year. The following items may be discussed in the first meeting:

- 1. Introduction to Biological Diversity Act, 2002**

As mentioned above, the Biological Diversity Act recognizes the sovereign right of our country on its biological resources. It envisages the constitution of National Biodiversity Authority (NBA) at the national level, State Biodiversity Boards (SBBs) at the state level & Biodiversity Management Committees (BMCs) at the local level to protect biodiversity, especially with respect to economically and ecologically important flora and fauna and to regulate access to these resources.

The National Biodiversity Authority has already been established with Head Office at Chennai. All States are in the process of constituting their respective SBBs which need to initiate activities at the state level as envisaged under the Act. **Representative of NBA/ SBB would make a presentation** on the constitution, objectives and proposed activities to be taken up by the NBA and SBBs. Information on other SBBs would also be provided to appraise the members about their constitution and activities so that Punjab Biodiversity Board may also initiate actions on similar lines. In order to implement the Act, issues under Agenda Item Nos. 2 to 7 may be discussed & decisions taken.
- 2. Approval of**

Under section 63 of the Biological Diversity Act, 2002, each state is

Punjab State Biodiversity Rules

required to notify the Biological Diversity Rules. Draft Rules for the state of Punjab are enclosed (Annexure-I) for consideration and discussion.

Major issues include:

- General functions of the Board
- Creation of State Biodiversity Fund
- Powers of the Chairperson and Member Secretary
- Procedure for conducting meetings of the Board
- Appointment of Expert Committees
- Procedures for access to biological resources
- Criteria for equitable benefit sharing
- Constitution of Biodiversity Management Committees and Local Biodiversity Funds
- Settlement of disputes
- Establishment and management of biodiversity heritage site, etc.

It may be mentioned here that these Rules are framed on the lines of Rules laid down by the Central Govt. and Madhya Pradesh Biodiversity Rules which have already been notified.

The same may be approved. **On approval these would be submitted to the Legal Remembrancer for vetting and to the Cabinet for final approval before notification.**

3. Establishment of State Biodiversity Fund

Punjab State Council for Science & Technology (which has been notified as nodal agency for conservation of both, domesticated and wild biodiversity in the state) is serving as the Secretariat of PBB. As such, the office of the Board already stands established in the council.

U/S 31 of the said Act, the state government is required to support the PBB by setting up a State Biodiversity Fund (SBF) which will receive grants and loans from the following sources:

- State Govt. for supporting PBB staff, infrastructure and activities.
- Central Govt. and NBA for special activities to promote biodiversity conservation
- All sums received from such other sources as decided by Central/ State Govt., including share of commercial benefit from use of biological resources of the state, wherever applicable and as decided by the State Govt.

These funds shall be used for:

- Conservation & promotion of biological resources
- Socio-economic development of areas where such resources are associated to
- Management & conservation of Heritage Sites

- Compensation/rehabilitation of any section of people economically affected due to notification of Heritage Sites
- Meeting the expenses incurred for the purposes authorized under the Biological Diversity Act including running of PBB secretariat, establishment of expert committees, conducting meetings of PBB, etc.

It is proposed that an **allocation of Rs. 30 lacs be made in the State budget for the remaining period of the current plan** (for the years 2005-07) by the State Deptts of Planning and Finance. A proposal amounting to **Rs. 13.65 lacs (Annexure-II) for the year 2005-06** has been submitted separately to the Govt. for sanction and release of funds.

The same may be approved.

Further, the Government of India, through the NBA, is providing Rs. 10.00 lacs as one time grant to each SBB towards establishment of the SBB secretariat and State Biodiversity Fund. **Punjab Biodiversity Board (PBB) has received the first installment of Rs. 5 lacs for the purpose.**

Utilization of funds is proposed as detailed at Annexure-III

4. Creation of Posts

The following posts are proposed initially:

Name of Post	Scale and Pay	Funds required per year
Member Secretary	Director, Environment, PSCST will be ex-officio Member Secretary of the Board.	NIL
Sr. Scientific Officer, Biodiversity	Rs. 10,000-325- 15200	Rs. 3.00 lacs
Steno Typist	Rs. 3300-6200	Rs. 0.80 lacs

The Board may approve.

5. Constitution of Biodiversity Management Committees

U/s 41 (1) of The Biological Diversity Act, 2002, Biodiversity Management Committees (BMCs) are required to be constituted to promote conservation, sustainable use and documentation of biological diversity at the local level. This includes the constitution of committees at the level of local bodies and village panchayats.

As per Section 22 of Biological Diversity Rules, 2004, notified by Ministry of Environment & Forests, GOI and Section 28 of Punjab Biodiversity Rules, each BMC shall consist of seven persons (including Chairperson), of whom not less than 1/3rd shall be women and proportion of scheduled caste/ tribes shall be as per their percentage in the district. Since, this conforms to the Panchayat Raj Act also, it is proposed that the existing village Panchayats may be notified as BMCs in rural areas. Wherever, the number of members in a Panchayat is less than seven, the Panchayats may co-opt two local biodiversity experts in the BMC from amongst herbalists, agriculturalists, NTFP collectors/traders, community workers, representatives of user associations, academicians, etc. (a section which is not already represented in the existing Panchayat).

In urban areas also, every local body may constitute a BMC within its area of jurisdiction as per the above guidelines. It is proposed that the general assembly of the local body may be truncated to seven members to function as BMC.

Further, local MPs/MLAs would be special invitees to the BMC. The BMC would also be guided by district/ block level experts from Departments of forest, agriculture, livestock, health, fisheries and education **The functions of the BMCs will be coordinated by the Sarpanch/Chairman, Local body or a nodal officer identified by him/her.** As per requirement and subject to availability of funds, the BMC may also co-opt/recruit suitable persons for carrying out specific tasks assigned to it from time to time. Initial training on various aspects of biodiversity will be provided by SBB to BMCs.

The BMCs will carry out the following functions:

- The **primary function** of the BMC would be to **promote conservation, sustainable use and documentation of biological diversity** (including preservation of habitats, conservation of land races, folk varieties and cultivars, domesticated stocks and breeds of animals and chronicling of traditional knowledge).
- It will **advise the NBA and PBB**, on matters referred to it, with regard to granting approval for access of resources in an area and maintain data of local practitioners / traders of biological

resources from that area.

- The **Panchayat Secretary/Executive Officer will prepare and maintain Peoples' Biodiversity Registers** in consultation with the community. These Registers shall contain comprehensive information on availability of local resources, their economic uses and linked traditional knowledge.
- The **Panchayat Secretary/Executive Officer** will also be responsible for **levy of charges by way of collection fees** from any person/ party accessing biological resources for commercial purposes from areas falling within its territorial jurisdiction and **maintain record thereof** for providing information to PBB.

Board may recommend to the State Govt. to issue notification for constitution of BMCs as proposed above.

6. Creation of Local Biodiversity Fund

U/S 42 of the Biological Diversity, Act, 2002, the State Govt., after due appropriation made by the State Legislature by law in this behalf, requires to create a Local Biodiversity Fund and provide money by way of grants or loans, to be utilized for the purposes of the Act. **Hence, it is proposed that a budget head be created and a token provision of Rs. 10 lacs may be made in the state budget during the current plan. The board may approve in principle.** Further, in view of the financial crunch at the State Govt. level, it is proposed that the Panchayats/ Local bodies may be requested to take up general activities out of existing funds for the time being.

Meanwhile, the PBB may discuss the issue with Department of Planning, Deptt. of Rural Development & Panchayats, Department of Local Government and District level functionaries to **assess the requirement of funds for BMC and the mechanism of its disbursement through District Administration (ADC/DDPO).** An expert committee may be constituted comprising the following:

- Director, Deptt. of Planning
- Director, DRDP
- Director, Local Govt.
- Member Secretary, PBB - Convener

The board may approve.

7. Activities of PBB
7.1 Actions Initiated

The following activities have been taken up/ proposed by the PBB:

7.1.1. Celebration of World Biodiversity Day

World Biodiversity Day is celebrated on 22nd May each year. **PBB organized State level Essay (English and Punjabi) and Poster competition** for rural and urban schools at the occasion by involving school children from Eco Clubs in the State. Over 300 entries were received out of which 30 entries have been selected for awards. The competition was publicized through newspapers. The State Institute of Science Education and District Education Officers were also involved.

Further, NGOs and schools were motivated to take up special awareness drives. Some schools organized competitions, debates, skits and rallies at the occasion. Two NGOs organized special lectures/ seminars. This is for the information of Board members.

7.1.2. Proposal for Northern zonal workshop for 'Facilitating formation of State Biodiversity Boards & Biodiversity Management Committees in Northern India'

Since Punjab has taken a lead in northern states in constitution of SBB, Member Secretary, NBA has advised that the PBB, may organize a **northern zonal workshop for 'Facilitating formation of State Biodiversity Boards & Biodiversity Management Committees in Northern India'**. A proposal submitted to NBA for consideration of funding has been approved in principle in the NBA meeting held on 21-06-05. As desired by NBA, a modified proposal has been submitted and final approval is expected shortly.

It is proposed to invite representatives from Punjab, Haryana, HP,

Chandigarh, Uttaranchal, Uttar Pradesh, Rajasthan, J&K and Delhi for the meeting.

The Board may approve the activity.

7.2. Actions Proposed

It is proposed to take up the following activities:

7.2.1. Identification of Heritage Sites outside PAN and Constitution of expert committees

PBB is required to identify biodiversity rich areas and biological heritage sites outside the existing Protected Area Network (PAN) in the state, as well as commercially important flora and fauna. In this regard The Punjab State Council for Science & Technology has already conducted several studies (Annexure-IV):

It is proposed that the following expert committees be constituted to identify such sites on the basis of the above studies.

1. Committee to identify biodiversity rich areas and heritage

sites outside PAN:

The Committee may comprise experts in the field of wild and agricultural biodiversity. The following experts are proposed

- Dr. G.S. Kalkat, Chairman
- Member Secretary, PBB - Convener
- Principal Chief Conservator of Forest
- Director, Deptt. of Agriculture
- Office In-charge, ZSI, DehraDun
- Office In-charge, BSI, DehraDun
- Head, Deptt. of Plant Breeding, Punjab Agriculture University
- Any other member proposed by PBB

Functions of the Committee:

- The Committee shall-
 - Identify & finalize heritage sites
 - Initiate action for its notification by the State Govt.
 - Finalize boundaries and take action for its notification
 - Guide the Board / State Govt. on measures to be taken up for biodiversity conservation in these areas, as well as, in biodiversity eroded areas.
 - Prepare guidelines for activities to be permitted/ prohibited inside heritage sites.
 - Prepare guidelines for rehabilitation of local communities in case they are affected by notification of the Heritage site.
- The Chairman shall be authorized to call meetings / initiate action in this regard as he may deem fit. Some potential sites which could be notified on the basis of studies conducted by PSCST are placed at Annexure-V. Moreover, the Committee may draw upon other studies also as it may deem appropriate.

2. Committee to identify commercially important flora and fauna:

PSCST has prepared a list of medicinal and economically important plants of Punjab, including Shivaliks. Total importance value of various forest types has also been studied. However, the commercial value of species with respect to their availability needs to be studied. It is proposed that the experts may identify the species, as well as, their potential commercial value especially in industry, food and pharma sectors. The following experts are proposed:

- Principal Chief Conservator of Forest- Chairman
- Member Secretary, PBB - Convener
- Director, Deptt. of Agriculture
- Director, Deptt. of Industries
- Director, Health Services
- Office In-charge, ZSI, DehraDun
- Office In-charge, BSI, DehraDun
- Any other expert as recommended by PBB

The committee may seek advice of State Medicinal Plants Board, Foundation for Revitalization of Local Health Traditions (FRLHT), Bangalore and other experts in this regard.

It is also proposed that **a short duration project may be taken up by PSCST/PBB for compiling data on industries using bio-resources as raw material in Punjab and their extent of use out of grant provided by NBA.**

The Board may approve.

7.2.2. Training & awareness on Biodiversity

As all Biodiversity Management Committees (including Panchayats and Local bodies) NGOs, line departments and the public at large need to be made aware of issues related to biodiversity and its linkage in local environment and livelihoods, it is proposed to initiate the following actions:

- **Publication of simple literature** in form of pamphlets/ booklets on biodiversity of Punjab in English and Punjabi- Expenditure to be met out of funds available under SBF.
- **Translation of Biological Diversity Act & State Biodiversity Rules** in Punjabi & their publication- Expenditure to be met out of funds available under SBF.
- **Intensive Public outreach programs** for training of BMCs. It is proposed to identify experts/ agencies/ NGOs to execute the project in the field in a coordinated manner (in collaboration with Distt. Administration, wherever possible). A proposal be prepared for submission to NBA/ State Govt. for funding.

Board may approve.

7.2.3. Preparation of

Local people in an area especially, vaidis, hakims, etc. are repositories

Peoples' Biodiversity Registers (PBRs)

of traditional knowledge which, most of the times, has great commercial value. The Govt. of India, therefore, proposes to prepare Peoples' Biodiversity Registers (PBRs). These are envisioned as a data bank developed in collaboration with local experts which would help to:

- Protect traditional knowledge and collective intellectual property of communities and prevent its mis-use by outsiders (including foreigners) by widely sharing knowledge on uses/management of biological resources of an area, thus, bringing it in public domain and preventing its registration under various IPR provisions. This will help to protect commercial rights of communities.
- Facilitate benefit sharing by making communities aware of the economic value of their resources and market opportunities.
- Promote participatory management of natural resources and help communities arrive at local management decisions (like, regulating grazing, fishing, maintenance of river side vegetation, ponds, etc.).
- Help access information on availability of seeds, crops, varieties, breeds in different regions and their special properties.
- Provide access to information on technologies of local relevance.
- Empower weaker sections and women, who are in close touch with biodiversity, by involving them in its sustainable use.
- Above all, preserve biodiversity related knowledge for posterity.

These registers would be the property of the BMCs. District Administration would be the custodian.

In the long run BMCs would be required to prepare these PBRs. However, it is proposed that **PBB may initiate preparation of model PBRs in 5 villages in Biodiversity rich areas in Shivaliks and one village in Harike Wetland area.** This would help to **standardize methods and develop guidelines for future action by BMCs.** It is proposed that expenditure for this activity be met out of existing funds available under SBF (out of which requisite project staff be recruited and necessary equipment purchased).

Board may approve.

7.2.4 Implementation of State Biodiversity Strategy & Action Plan (SBSAP)

The SBSAP prepared by PSCST identifies strategies and key Action Projects. A summary is placed at Annexure-VI. The list of projects identified by key departments is enclosed at Annexure-VII. It is proposed to prioritise and initiate concrete action for biodiversity conservation.

It is proposed that the following actions be taken up in the first phase as these do not require separate funding:

- 1. Setting up of biodiversity cells in key departments**, like, Departments of Forests & Wildlife, Horticulture, Animal Husbandry, Fisheries, Local Government & Urban Development, Rural Development & Panchayats, Soil Conservation, Irrigation & Power, Industries, Health, Tourism, Education, etc. The cells are proposed to be set up with existing staff which may be trained by SBB for the purpose.
- 2. Strengthening of State Nodal Deptt.** – As proposed under Agenda Item 3 & 4 above, separate budget head be created and staff recruited.
- 3. Development of Data Bank-**
PSCST has collected considerable information on biodiversity of Punjab. The same has been incorporated on an on-line searchable database at the ENVIS website (www.punenvis.nic.in) and a small data bank has been established. It is proposed that the databank be strengthened by incorporating more data on biodiversity from R&D bodies and departments in the Northern Region. Subsequently, the scope of this data bank could be enhanced to incorporate information from the entire Northern Region of the country.
- 4. Centre for training in biodiversity** – It is proposed that PBB may initiate training activities at its level initially. A dedicated Centre for Biodiversity education, training and research can be set up subsequently.
- 5. Preparation of Management Plans for protected areas** – The project is proposed by Department of Forests & Wildlife to promote in-situ conservation of wild biodiversity, inventorization of resources within protected areas, preparation of data base of these areas and analysis of data for preparation of ten year management plans.

6. **Establishment of GIS /MIS Lab** - The project is proposed by Department of Forests & Wildlife for putting wildlife data on GIS maps. The estimated budget is Rs. 50 lacs which has been sought from the State Government by the Department.
7. **Promotion of traditional farming systems** - The project is proposed by Deptt. of Agriculture. It involves survey and recording of success stories with regard to traditional farming system by progressive farmers. These would be compiled in a book.

For other projects, it is proposed that the respective departments and PBB may approach the Ministry of Environment & Forests, Govt. of India/ NBA/State Government separately for funds.

8 Any other item with the permission of the Chair