Ministry of Environment & Forests

Biological Diversity Act 2002 and establishment of

National Biodiversity Authority ,Chennai

India is party to the Convention on Biological Diversity(CBD) 1992 which recognizes the sovereign rights of states to use their own Biological Resources. In order to help in realizing the objectives of CBD, India has enacted an umbrella legislation called the biological Diversity Act 2002(No.18 of 2003) aimed at conservation of biological resources and associated knowledge as well as facilitating access to them in a sustainable manner and through a just process.

In exercise of the powers conferred by Sub-Section (1) (4) of Section 8 of the Biological Diversity Act, 2002 (18 of 2003), the Central Government has established a body called the National Biodiversity Authority, on and from the 1st day of October, 2003. The main functions of the Authority are :

a) To lay down procedures and guidelines to govern the activities provided under Section 3, 4, and 6. (Permission to foreigners/NRIs foreign companies)

   For obtaining any biological resource (Section -3)
   For transferring the results of any research (Section -4).
      Certain collaborative research projects exempted
   (Section 5)

b) To advice the Government of India. Specific areas mentioned as per the Act are the following:

   i) Notifications of threatened species (Section -38)
   ii) Designate institutions as repositories for different categories of
       biological resources (Section -39)
   iii) Exempt certain biological resources, normally traded as commodities
        (Section -40)

c) To encourage setting up State Biodiversity Boards
d) To build up database and documentation system
e) To creat awareness through mass media
   i.   Training of personnel
   ii.   Necessary measures in the areas of Intellectual Propriety Rights

For details on the Biological Diversity Act 2002 and the Rules and

various notifications ,formats etc prescribed under the Act , please

browse www.nbaindia.org