

मध्य प्रदेश जैव विविधता नियम, 2004

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AMENDMENT In the said Rules, - 1

2. In rule 17, for sub-rule (1), the following sub-rule shall be substituted, namely:- "(1) Any person seeking access to/collection of biological resources and associated knowledge for commercial utilization shall make an application to the Board in Form-I appended to these rules. Every application for commercial utilization, shall be accompanied by a fee of Rs. 1000/- in the form of a cheque or demand draft." In rule 23, (1) for sub-rule (1), the following sub-rule shall be substituted, namely:- "(1) Every local body shall constitute a Biodiversity Management Committee within its area of jurisdiction. Accordingly, Biodiversity Management Committees are to be constituted at Zila Panchayat, Janpad Panchayat, Gram Panchayat and Gram Sabha level as well as at ward level in Nagar Panchayat, Municipality and Municipal Corporation Gram Sabha, Gram •Panchayat, Janpad Panchayat and Zila Panchayat, Nagar Panchayat, Municipality and Municipal Corporation level Biodiversity Management Committees shall be Executive Committees." 532 (8) (2) (3) (4) 4 2019 the following sub-rule shall be for sub-rule (2), substituted, namely:- "(2) If the local body is satisfied that the function of the Biodiversity Management Committee can be discharged by the general assembly of the local body, or by one of its existing committees or Forest Committee (JFMCs) constituted under Govt. of M. P., Forest Dept's resolution no. 16-4-91-10-2 dated 22.10.2001 at Gram Sabha level, the same should be recorded as resolution passed by such local body, following due procedure. If Committee mentioned in Forest Dept. resolution is given the responsibility of BMCs, such Committee will be "Forest Committee (JFMCs) cum called as Biodiversity Management Committee." after sub-rule (6), the following sub-rule shall be inserted, namely:- "(6a) The Chairperson of Biodiversity Management Committee (BMC) shall be entitled for meeting allowance for attending meeting of Biodiversity Management Committee as decided by the Board." after sub-rule (7), the following sub-rule shall be inserted, namely:- "(7a) The Chairperson of Biodiversity Management Committee shall convene the meeting of Biodiversity Management Committee in every 3 months." By Order and in the name of the Governor of Madhya Pradesh, CAPT. ANIL KUMAR KHARE, Secretary. 532 (9) 3. 4 2019 For Form - I, the following Form shall be substituted, namely:- "Form I (See rule 17) Application form for commercial use and associated traditional knowledge/access to biological resources/collecting of biological 1. (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) 2. (ii) (iii) (iv) resources Part A Full particulars of the applicant: Name : Permanent address . Contact/ Mobile/ Landline No. Email/ Website Address of the contact person/ agent, if any, in India: Profile of the person/ organization (personal profile in case the applicant is an individual•. Please attach relevant documents of authentication) Nature of. business (Traders/ Manufacturer : Turnover of the organization in Indian Rupees: (Please provide details of turnover as per the Annexure-1- T and I-M Details and specific information about nature of access sought and biological material and/or associated knowledge to be accessed. Identification (scientific name) of resources and its biological traditional use: Geographical location of proposed collection (includes Biodiversity Management Committee, village, janpad and district or forest area- Beat, Ran e Division : Description/ nature of traditional knowled e oral documented : identified Any individual/ community holding the traditional knowled e: 532 (10) (v) (vii) (viii) (ix) 3. 4. 5. 6. 4 2019 Quantity of biological resources is proposed to be collected (give the schedule Time span in which the biological resources is proposed to be collected: Name and number of person authorized by the company for makin the selection: The purpose for which the access is requested including the type research, extend of and commercial use being derived 'and ex ected to be derived from it: Whether any

collection of the biological resource endangers any component of biological diversity and the risks which may arise from the access: Estimation of benefits that would flow to communities arising out of the use of accessed bio-resources and traditional knowledge. and Proposed mechanism arrangements for benefit sharing. If there has been any criminal proceeding/ Liability going on against you as per law of the land. If essential, please specify Any other information considered relevant. Date : Place : Name & Signature of the Applicant/ *
* Authorized Signatory Address: Seal: 4 2019 Part B Declaration I/ we declare that 532 (11) 1. Collection of proposed biological resources shall not adversely affect the sustainability of the resource; 2. Collection of proposed biological resources shall not pose any risk to ecosystems; 3. Collection of proposed biological resources shall not pose any risk to biodiversity inclusive of genetic, species and ecosystem levels

4. Collection of proposed biological resources shall not adversely affect the local communities; I/ we declare that we hereby abide to pay any fees or royalty which may be levied either by the Board or Biodiversity Management Committee/ s. This will be in the form of non-refundable bank guarantee or as decided by the Board. I/ we further declare the information provided in the application form is true and correct and I/ we shall be responsible for any incorrect/ wrong information

5. I am/ we are aware that the section 3(2) of the Biological Diversity Act, 2002 (18 of 2003) states as under:- Section 3(2): "The persons who shall be required to take the approval of the National Biodiversity Authority under sub-section (1) are the following, namely: (1) A person who is not a citizen of India; (2) A citizen of India, who is a non-resident as defined in clause (30) of section 2 of the Income Tax Act, 1961 (43 of 1961). (3) A body corporate, association or organization- (i) Not incorporated or registered in India; or Incorporated or registered in India under any law for the time being in force which has any non-Indian participation in its share capital or management. 532 (12) 4 2019 In this connection, I am herewith submitting the following declaration:- * I / we hereby declare that I / we "fall"/ "do not fall" under the scope of the provision contained in section 3(2) of the Biological Diversity Act, 2002 (18 of 2003), (*Strike out which is not applicable) Date: Place: Name & Signature of the Applicant/ *
* * Authorised Signatory Address: Seal: **If you are a Authorised Signatory please provide power of attorney in original. To, Member-Secretary Madhya Pradesh State Biodiversity Board 26, Kisan Bhawan, I Floor, Arera Hills, Bhopal- 462 011. 4 2019 532 (13) 532 (14) 4 2019