

A. K. Goyal
Additional Secretary
Tele No. 23753820



पंचायती राज मंत्रालय
भारत सरकार
11वीं मंजिल, जीवन प्रकाश बिल्डिंग,
25, को.जी. मार्ग, नई दिल्ली-110 001
MINISTRY OF PANCHAYATI RAJ
GOVERNMENT OF INDIA
11th FLOOR, JEEVAN PRAKASH BUILDING,
25, K.G. MARG, NEW DELHI-110 001

D.O. No. N-11012/2/2013-PESA

July 16, 2014

24/389
Subject: Formation of Biodiversity Management Committees

Dear Principal Secretary,

India is a Party to the United Nations Convention of Biological Diversity which was signed at Rio de Janeiro on June 05, 1992. For the conservation of biological diversity sustainable use of its components and fair and equitable sharing of the benefits arising out of the use of biological resources, knowledge and other issues connected with this, the Biological Diversity Act, 2002 was enacted by Parliament on February 05, 2003 and accordingly related Rules were also formed.

2. Under Section 41 of Biological Diversity Act, 2002, Biodiversity Management Committees (BMCs) will be formed at the level of Local Bodies i.e. at all the three tiers of Panchayats. This Section states:-

"41 (1) Every local body shall constitute a Biodiversity Management Committee within its areas for the purpose of promoting 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 microorganisms and chronicling of knowledge relating to biological diversity."

3. The BMCs will collect fees from any person for accessing or collecting biological resource and commercial purposes from the areas falling within their territorial jurisdiction. The BMCs will take all the steps to conserve, protect, sustainably use and document biological resources under their respective jurisdiction.

4. PRIs may also need technical help in this matter. This can be provided to them through the State Biodiversity Boards. Further, training to elected representatives of PRIs and other members BMGs, as members of Gram Sabhas, can also be provided under the RGPSA and BRGP schemes of this Ministry if these are included in the State's Annual Action Plan.

sh/c

5. Accordingly you are requested to:

- (i) Constitute BMCs, wherever not constituted, at all the three tiers of PRIs in coordination with the State Biodiversity Boards;
- (ii) Make necessary amendments to the Panchayati Raj Acts/Rules in declaring these statutory bodies as Standing Committees of the PRIs so that they can avail all benefits of the schemes of the MoPR for the conservation and sustainable use of biodiversity; and
- (iii) Provide them technical help in preparation of people's biodiversity registers so that the PRIs could get benefits from commercial exploitation of biodiversity in their areas.

With regard,

Yours sincerely,

A K Goyal
16/07/14
(A K Goyal)

To
The Principal Secretaries of Panchayati Raj Departments
(All States/UTs)

Copy to

✓ The Secretary, Ministry of Environment, Forests and Climate Change, GOI
for information.

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GOVERNMENT OF INDIA
11th FLOOR, JEEVAN PRAKASH BUILDING,
25, K.G. MARG, NEW DELHI-110 001

D.O. No. N 11012/2/2013-PESA

Dated, 30th July, 2014

Dear Sir,

Subject: India's Fifth National Report (NR5) to the Convention on Biological Diversity (CBD) and Updation of National Biodiversity Action Plan (NBAP)-regarding.

Please refer to your D.O. No. C-12023/48/12-C5-III, dated 27th December, 2013 on the above-mentioned subject seeking inputs regarding National Biodiversity Action Plan (NBAP).

2. The Ministry of Panchayati Raj provides financial support for capacity building and training to all elected representatives and functionaries of Panchayati Raj institutions in the country, and also supports administrative structures to strengthen the local governance in rural local bodies. This Ministry can support the efforts of the Ministry of Environment, Forests and Climate change in conserving biodiversity in the following ways:

- (i) It may not possible to earmark certain percentage of budget allocation under a scheme for conservation of biodiversity, however, under the schemes of the MoPR (BRGF and RGPSA), training to the elected representatives of the PRIs on various aspects of biodiversity management including maintenance of common grazing lands, protection of biodiversity in Panchayat common lands, conservation of water bodies, etc., can be provided. The training can also be provided to the other members of the BMCs who are members of Gram Sabha but not ERs of the PRIs, if the States include such a component in their annual action plans. To empower the PRIs and exercise their control on the various activities under the Panchayats, the MoPR insists on declaring such statutory bodies (like BDCs

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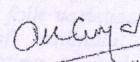
under BDA), as Standing Committees of the PRIs. A statement of funds available with the Ministry under XII Plan is enclosed.

- (ii) Common lands can be included in the Assets Directory under Panchayat Enterprise Suite of e-Panchayat.
- (iii) Special Gram Sabha meetings can be held on issues related to preservation of common lands, natural habitats, forest land and biodiversity, in order to focus on the maintenance of natural environment in the villages especially in Schedule V areas. In this task, State Biodiversity Boards can assist in setting up agenda along with Forest and Wild Life Departments.

3. Under the provisions of Section 41 of the Biological Diversity Act, 2002, all the State/Union Territory Governments have been addressed vide d.o. letter of even number dated 16th July, 2014 of this Ministry to constitute Biodiversity Management Committees (BMCs) at the level of Local Bodies i.e. at all the three tiers of Panchayats and for amending the respective Panchayat Raj Acts/Rules for declaring them as Standing Committees of PRIs (a copy enclosed for information).

regards,

Yours sincerely,


(A.K. Goyal) 31/07/14

Shri Hem Pande,
Additional Secretary,
Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh,
New Delhi-110003