



'ACCESS AND BENEFIT SHARING (ABS)'

A
Symbiotic Relationship Between
The
Provider & Users
of
Bio-Resources & Associated Traditional Knowledge



उत्तराखण्ड जैवविविधता बोर्ड
UTTARAKHAND BIODIVERSITY BOARD



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Preamble
to
the Convention
on
Biological Diversity



Preamble

The Contracting Parties,

Conscious of the intrinsic value of biological diversity and of the ecological, genetic, social, economic, scientific, educational, cultural, recreational and aesthetic values of biological diversity and its components,

Conscious also of the importance of biological diversity for evolution and for maintaining life sustaining systems of the biosphere,

Affirming that the conservation of biological diversity is a common concern of humankind,

Reaffirming that States have sovereign rights over their own biological resources,

Reaffirming also that States are responsible for conserving their biological diversity and for using their biological resources in a sustainable manner,

Concerned that biological diversity is being significantly reduced by certain human activities,

Aware of the general lack of information and knowledge regarding biological diversity and of the urgent need to develop scientific, technical and institutional capacities to provide the basic understanding upon which to plan and implement appropriate measures,

Noting that it is vital to anticipate, prevent and attack the causes of significant reduction or loss of biological diversity at source,

Noting also that where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimize such a threat,

Noting further that the fundamental requirement for the conservation of biological diversity is the in-situ conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings,

Noting further that ex-situ measures, preferably in the country of origin, also have an important role to play,

Recognizing the close and traditional dependence of many indigenous and local communities embodying traditional lifestyles on biological resources, and the desirability of sharing equitably benefits arising from the use of traditional knowledge, innovations and practices relevant to the conservation of biological diversity and the sustainable use of its components,

Recognizing also the vital role that women play in the conservation and sustainable use of biological diversity and affirming the need for the full participation of women at all levels of policy-making and implementation for biological diversity conservation,

Stressing the importance of, and the need to promote, international, regional and global cooperation among States and intergovernmental organizations and the non-governmental sector for the conservation of biological diversity and the sustainable use of its components,

Acknowledging that the provision of new and additional financial resources and appropriate access to relevant technologies can be expected to make a substantial difference in the world's ability to address the loss of biological diversity,

Acknowledging further that special provision is required to meet the needs of developing countries, including the provision of new and additional financial resources and appropriate access to relevant technologies,

Noting in this regard the special conditions of the least developed countries and small island States, Acknowledging that substantial investments are required to conserve biological diversity and that there is the expectation of a broad range of environmental, economic and social benefits from those investments,

Recognizing that economic and social development and poverty eradication are the first and overriding priorities of developing countries,

Aware that conservation and sustainable use of biological diversity is of critical importance for meeting the food, health and other needs of the growing world population, for which purpose access to and sharing of both genetic resources and technologies are essential,

Noting that, ultimately, the conservation and sustainable use of biological diversity will strengthen friendly relations among States and contribute to peace for humankind,

Desiring to enhance and complement existing international arrangements for the conservation of biological diversity and sustainable use of its components, and

Determined to conserve and sustainably use biological diversity for the benefit of present and future generations,

Have agreed as follows:



Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity

Secretariat of the
Convention on Biological Diversity montreal



Introduction

The Convention on Biological Diversity was opened for signature on 5 June 1992 at the United Nations Conference on Environment and Development (the Rio “Earth Summit”) and entered into force on 29 December 1993. The Convention is the only international instrument comprehensively addressing biological diversity. The Convention’s three objectives are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising from the utilisation of genetic resources.

To further advance the implementation of the third objective, the World Summit on Sustainable Development (Johannesburg, September 2002) called for the negotiation of an international regime, within the framework of the Convention, to promote and safeguard the fair and equitable sharing of benefits arising from the utilisation of genetic resources. The Convention’s Conference of the Parties responded at its seventh meeting, in 2004, by mandating its Ad Hoc Open-ended Working Group on Access and Benefit-sharing to elaborate and negotiate an international regime on access to genetic resources and benefit-sharing in order to effectively implement Articles 15 (Access to Genetic Resources) and 8(j) (Traditional Knowledge) of the Convention and its three objectives.

After six years of negotiation, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity was adopted at the tenth meeting of the Conference of the Parties on 29 October 2010, in Nagoya, Japan.

The Protocol significantly advances the Convention’s third objective by providing a strong basis for greater legal certainty and transparency for both providers and users of genetic resources. Specific obligations to support compliance with domestic legislation or regulatory requirements of the Party providing genetic resources and contractual obligations reflected in mutually agreed terms are a significant innovation of the Protocol. These compliance provisions as well as provisions establishing more predictable conditions for access to genetic resources will contribute to ensuring the sharing of benefits when genetic resources leave a Party providing genetic resources. In addition, the Protocol’s provisions on access to traditional knowledge held by indigenous and local communities when it is associated with genetic resources will strengthen the ability of these communities to benefit from the use of their knowledge, innovations and practices.

By promoting the use of genetic resources and associated traditional knowledge, and by strengthening the opportunities for fair and equitable sharing of benefits from their use, the Protocol will create incentives to conserve biological diversity, sustainably use its components, and further enhance the contribution of biological diversity to sustainable development and human well-being.

Preamble

The Parties to this Protocol,

Being Parties to the Convention on Biological Diversity, hereinafter referred to as “the Convention”,
Recalling that the fair and equitable sharing of benefits arising from the utilization of genetic resources is one of three core objectives of the Convention, and recognizing that this Protocol pursues the implementation of this objective within the Convention,

Reaffirming the sovereign rights of States over their natural resources and according to the provisions of the Convention,

Recalling further Article 15 of the Convention,

Recognizing the important contribution to sustainable development made by technology transfer and cooperation to build research and innovation capacities for adding value to genetic resources in developing countries, in accordance with Articles 16 and 19 of the Convention,

Recognizing that public awareness of the economic value of ecosystems and biodiversity and the fair and equitable sharing of this economic value with the custodians of biodiversity are key incentives for the conservation of biological diversity and the sustainable use of its components,

Acknowledging the potential role of access and benefit-sharing to contribute to the conservation and sustainable use of biological diversity, poverty eradication and environmental sustainability and thereby contributing to achieving the Millennium Development Goals,

Acknowledging the linkage between access to genetic resources and the fair and equitable sharing of benefits arising from the utilization of such resources,

Recognizing the importance of providing legal certainty with respect to access to genetic resources and the fair and equitable sharing of benefits arising from their utilization,

Further recognizing the importance of promoting equity and fairness in negotiation of mutually agreed terms between providers and users of genetic resources,

Recognizing also the vital role that women play in access and benefit-sharing and affirming the need for the full participation of women at all levels of policy-making and implementation for biodiversity conservation,

Determined to further support the effective implementation of the access and benefit-sharing provisions of the Convention,

Recognizing that an innovative solution is required to address the fair and equitable sharing of benefits derived from the utilization of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent,

Recognizing the importance of genetic resources to food security, public health, biodiversity conservation, and the mitigation of and adaptation to climate change,

Recognizing the special nature of agricultural biodiversity, its distinctive features and problems needing distinctive solutions,

Recognizing the interdependence of all countries with regard to genetic resources for food and agriculture as well as their special nature and importance for achieving food security worldwide and for sustainable development of agriculture in the context of poverty alleviation and climate change and acknowledging the fundamental role of the International Treaty on Plant Genetic Resources for Food and Agriculture and the FAO Commission on Genetic Resources for Food and Agriculture in this regard,

Mindful of the International Health Regulations (2005) of the World Health Organization and the importance of ensuring access to human pathogens for public health preparedness and response purposes,

Acknowledging ongoing work in other international forums relating to access and benefit-sharing,

Recalling the Multilateral System of Access and Benefit-sharing established under the International Treaty on Plant Genetic Resources for Food and Agriculture developed in harmony with the Convention,

Recognizing that international instruments related to access and benefit-sharing should be mutually supportive with a view to achieving the objectives of the Convention,

Recalling the relevance of Article 8(j) of the Convention as it relates to traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising from the utilization of such knowledge,

Noting the interrelationship between genetic resources and traditional knowledge, their inseparable nature for indigenous and local communities, the importance of the traditional knowledge for the conservation of biological diversity and the sustainable use of its components, and for the sustainable livelihoods of these communities,

Recognizing the diversity of circumstances in which traditional knowledge associated with genetic resources is held or owned by indigenous and local communities,

Mindful that it is the right of indigenous and local communities to identify the rightful holders of their traditional knowledge associated with genetic resources, within their communities,

Further recognizing the unique circumstances where traditional knowledge associated with genetic resources is held in countries, which may be oral, documented or in other forms, reflecting a rich cultural heritage relevant for conservation and sustainable use of biological diversity,

Noting the United Nations Declaration on the Rights of Indigenous Peoples, and

Affirming that nothing in this Protocol shall be construed as diminishing or extinguishing the existing rights of indigenous and local communities,

Have agreed as follows:

Article 1.

Objective

The objective of this Protocol is the fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding, thereby contributing to the conservation of biological diversity and the sustainable use of its components.

Article 2.

Use of Terms

The terms defined in Article 2 of the Convention shall apply to this Protocol. In addition, for the purposes of this Protocol:

- (a) “Conference of the Parties” means the Conference of the Parties to the Convention;
- (b) “Convention” means the Convention on Biological Diversity;
- (c) “Utilization of genetic resources” means to conduct research and development on the genetic and/or biochemical composition of genetic resources, including through the application of biotechnology as defined in Article 2 of the Convention;
- (d) “Biotechnology” as defined in Article 2 of the Convention means any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use;
- (e) “Derivative” means a naturally occurring biochemical compound resulting from the genetic expression or metabolism of biological or genetic resources, even if it does not contain functional units of heredity.

Article 3.

Scope

This Protocol shall apply to genetic resources within the scope of Article 15 of the Convention and to the benefits arising from the utilization of such resources. This Protocol shall also apply to traditional knowledge associated with genetic resources within the scope of the Convention and to the benefits arising from the utilization of such knowledge.

Article 4.

Relationship with International Agreements and Instruments

- (1) The provisions of this Protocol shall not affect the rights and obligations of any Party deriving from any existing international agreement, except where the exercise of those rights and obligations would cause a serious damage or threat to biological diversity. This paragraph is not intended to create a hierarchy between this Protocol and other international instruments.
- (2) Nothing in this Protocol shall prevent the Parties from developing and implementing other relevant international agreements, including other specialized access and benefit-sharing agreements, provided that they are supportive of and do not run counter to the objectives of the Convention and this Protocol.
- (3) This Protocol shall be implemented in a mutually supportive manner with other international instruments relevant to this Protocol. Due regard should be paid to useful and relevant ongoing work or practices under such international instruments and relevant international organizations, provided that they are supportive of and do not run counter to the objectives of the Convention and this Protocol.
- (4) This Protocol is the instrument for the implementation of the access and benefit-sharing provisions of the Convention. Where a specialized international access and benefit-sharing instrument applies that is consistent with, and does not run counter to the objectives of the Convention and this Protocol, this Protocol does not apply for the Party or Parties to the specialized instrument in respect of the specific genetic resource covered by and for the purpose of the specialized instrument.

Article 5.

Fair and Equitable Benefit-sharing

- (1) In accordance with Article 15, paragraphs 3 and 7 of the Convention, benefits arising from the utilization of genetic resources as well as subsequent applications and commercialization shall be shared in a fair and equitable way with the Party providing such resources that is the country of origin of such resources or a Party that has acquired the genetic resources in accordance with the Convention. Such sharing shall be upon mutually agreed terms.
- (2) Each Party shall take legislative, administrative or policy measures, as appropriate, with the aim of ensuring that benefits arising from the utilization of genetic resources that are held by indigenous and local communities, in accordance with domestic legislation regarding the established rights of these indigenous and local communities over these genetic resources, are shared in a fair and equitable way with the communities concerned, based on mutually agreed terms.
- (3) To implement paragraph 1 above, each Party shall take legislative, administrative or policy measures, as appropriate.

- (4) Benefits may include monetary and non-monetary benefits, including but not limited to those listed in the Annex.
- (5) Each Party shall take legislative, administrative or policy measures, as appropriate, in order that the benefits arising from the utilization of traditional knowledge associated with genetic resources are shared in a fair and equitable way with indigenous and local communities holding such knowledge. Such sharing shall be upon mutually agreed terms.

Article 6.

Access to Genetic Resources

- (1) In the exercise of sovereign rights over natural resources, and subject to domestic access and benefit-sharing legislation or regulatory requirements, access to genetic resources for their utilization shall be subject to the prior informed consent of the Party providing such resources that is the country of origin of such resources or a Party that has acquired the genetic resources in accordance with the Convention, unless otherwise determined by that Party.
- (2) In accordance with domestic law, each Party shall take measures, as appropriate, with the aim of ensuring that the prior informed consent or approval and involvement of indigenous and local communities is obtained for access to genetic resources where they have the established right to grant access to such resources.
- (3) Pursuant to paragraph 1 above, each Party requiring prior informed consent shall take the necessary legislative, administrative or policy measures, as appropriate, to:
 - (a) Provide for legal certainty, clarity and transparency of their domestic access and benefit-sharing legislation or regulatory requirements;
 - (b) Provide for fair and non-arbitrary rules and procedures on accessing genetic resources;
 - (c) Provide information on how to apply for prior informed consent;
 - (d) Provide for a clear and transparent written decision by a competent national authority, in a cost-effective manner and within a reasonable period of time;
 - (e) Provide for the issuance at the time of access of a permit or its equivalent as evidence of the decision to grant prior informed consent and of the establishment of mutually agreed terms, and notify the Access and Benefit-sharing Clearing-House accordingly;
 - (f) Where applicable, and subject to domestic legislation, set out criteria and/or processes for obtaining prior informed consent or approval and involvement of indigenous and local communities for access to genetic resources; and
 - (g) Establish clear rules and procedures for requiring and establishing mutually agreed terms. Such terms shall be set out in writing and may include, inter alia:
 - (i) A dispute settlement clause;
 - (ii) Terms on benefit-sharing, including in relation to intellectual property rights;
 - (iii) Terms on subsequent third-party use, if any; and
 - (iv) Terms on changes of intent, where applicable.

Article 7.

Access to Traditional Knowledge Associated with Genetic Resources

In accordance with domestic law, each Party shall take measures, as appropriate, with the aim of ensuring that traditional knowledge associated with genetic resources that is held by indigenous and local communities is accessed with the prior and informed consent or approval and involvement of these indigenous and local communities, and that mutually agreed terms have been established.

Article 8.

Special Considerations

In the development and implementation of its access and benefit-sharing legislation or regulatory requirements, each Party shall:

- (a) Create conditions to promote and encourage research which contributes to the conservation and sustainable use of biological diversity, particularly in developing countries, including through simplified measures on access for non-commercial research purposes, taking into account the need to address a change of intent for such research;
- (b) Pay due regard to cases of present or imminent emergencies that threaten or damage human, animal or plant health, as determined nationally or internationally. Parties may take into consideration the need for expeditious access to genetic resources and expeditious fair and equitable sharing of benefits arising out of the use of such genetic resources, including access to affordable treatments by those in need, especially in developing countries;
- (c) Consider the importance of genetic resources for food and agriculture and their special role for food security.

Article 9.

Contribution to Conservation and Sustainable Use

The Parties shall encourage users and providers to direct benefits arising from the utilization of genetic resources towards the conservation of biological diversity and the sustainable use of its components.

Article 10.

Global Multilateral Benefit-sharing Mechanism

Parties shall consider the need for and modalities of a global multilateral benefit-sharing mechanism to address the fair and equitable sharing of benefits derived from the utilization of genetic resources and traditional knowledge associated with genetic resources that occur in transboundary situations or for which it is not possible to grant or obtain prior informed consent. The benefits shared by

users of genetic resources and traditional knowledge associated with genetic resources through this mechanism shall be used to support the conservation of biological diversity and the sustainable use of its components globally.

Article 11.

Transboundary Cooperation

- (1) In instances where the same genetic resources are found in situ within the territory of more than one Party, those Parties shall endeavour to cooperate, as appropriate, with the involvement of indigenous and local communities concerned, where applicable, with a view to implementing this Protocol.
- (2) Where the same traditional knowledge associated with genetic resources is shared by one or more indigenous and local communities in several Parties, those Parties shall endeavour to cooperate, as appropriate, with the involvement of the indigenous and local communities concerned, with a view to implementing the objective of this Protocol.

Article 12.

Traditional Knowledge Associated with Genetic Resources

- (1) In implementing their obligations under this Protocol, Parties shall in accordance with domestic law take into consideration indigenous and local communities' customary laws, community protocols and procedures, as applicable, with respect to traditional knowledge associated with genetic resources.
- (2) Parties, with the effective participation of the indigenous and local communities concerned, shall establish mechanisms to inform potential users of traditional knowledge associated with genetic resources about their obligations, including measures as made available through the Access and Benefit-sharing Clearing-House for access to and fair and equitable sharing of benefits arising from the utilization of such knowledge.
- (3) Parties shall endeavour to support, as appropriate, the development by indigenous and local communities, including women within these communities, of:
 - (a) Community protocols in relation to access to traditional knowledge associated with genetic resources and the fair and equitable sharing of benefits arising out of the utilization of such knowledge;
 - (b) Minimum requirements for mutually agreed terms to secure the fair and equitable sharing of benefits arising from the utilization of traditional knowledge associated with genetic resources; and
 - (c) Model contractual clauses for benefit-sharing arising from the utilization of traditional knowledge associated with genetic resources.

- (4) Parties, in their implementation of this Protocol, shall, as far as possible, not restrict the customary use and exchange of genetic resources and associated traditional knowledge within and amongst indigenous and local communities in accordance with the objectives of the Convention.

Article 13.

National Focal Points and Competent National Authorities

- (1) Each Party shall designate a national focal point on access and benefit-sharing. The national focal point shall make information available as follows:
 - (a) For applicants seeking access to genetic resources, information on procedures for obtaining prior informed consent and establishing mutually agreed terms, including benefit-sharing;
 - (b) For applicants seeking access to traditional knowledge associated with genetic resources, where possible, information on procedures for obtaining prior informed consent or approval and involvement, as appropriate, of indigenous and local communities and establishing mutually agreed terms including benefit-sharing; and
 - (c) Information on competent national authorities, relevant indigenous and local communities and relevant stakeholders.

The national focal point shall be responsible for liaison with the Secretariat.

- (2) Each Party shall designate one or more competent national authorities on access and benefit-sharing. Competent national authorities shall, in accordance with applicable national legislative, administrative or policy measures, be responsible for granting access or, as applicable, issuing written evidence that access requirements have been met and be responsible for advising on applicable procedures and requirements for obtaining prior informed consent and entering into mutually agreed terms.
- (3) A Party may designate a single entity to fulfil the functions of both focal point and competent national authority.
- (4) Each Party shall, no later than the date of entry into force of this Protocol for it, notify the Secretariat of the contact information of its national focal point and its competent national authority or authorities. Where a Party designates more than one competent national authority, it shall convey to the Secretariat, with its notification thereof, relevant information on the respective responsibilities of those authorities. Where applicable, such information shall, at a minimum, specify which competent authority is responsible for the genetic resources sought. Each Party shall forthwith notify the Secretariat of any changes in the designation of its national focal point or in the contact information or responsibilities of its competent national authority or authorities.

- (5) The Secretariat shall make information received pursuant to paragraph 4 above available through the Access and Benefit-sharing Clearing-House.

Article 14.

The Access and Benefit-sharing Clearing-House and Information Sharing

- (1) An Access and Benefit-sharing Clearing-House is hereby established as part of the clearing-house mechanism under Article 18, paragraph 3, of the Convention. It shall serve as a means for sharing of information related to access and benefit-sharing. In particular, it shall provide access to information made available by each Party relevant to the implementation of this Protocol.
- (2) Without prejudice to the protection of confidential information, each Party shall make available to the Access and Benefit-sharing Clearing-House any information required by this Protocol, as well as information required pursuant to the decisions taken by the Conference of the Parties serving as the meeting of the Parties to this Protocol. The information shall include:
 - (a) Legislative, administrative and policy measures on access and benefit-sharing;
 - (b) Information on the national focal point and competent national authority or authorities; and
 - (c) Permits or their equivalent issued at the time of access as evidence of the decision to grant prior informed consent and of the establishment of mutually agreed terms.
- (3) Additional information, if available and as appropriate, may include:
 - (a) Relevant competent authorities of indigenous and local communities, and information as so decided;
 - (b) Model contractual clauses;
 - (c) Methods and tools developed to monitor genetic resources; and
 - (d) Codes of conduct and best practices.
- (4) The modalities of the operation of the Access and Benefit-sharing Clearing-House, including reports on its activities, shall be considered and decided upon by the Conference of the Parties serving as the meeting of the Parties to this Protocol at its first meeting, and kept under review thereafter.

Article 15.

Compliance with Domestic Legislation or Regulatory Requirements on Access and Benefit-sharing

- (1) Each Party shall take appropriate, effective and proportionate legislative, administrative or policy measures to provide that genetic resources utilized within its jurisdiction have been

accessed in accordance with prior informed consent and that mutually agreed terms have been established, as required by the domestic access and benefit-sharing legislation or regulatory requirements of the other Party.

- (2) Parties shall take appropriate, effective and proportionate measures to address situations of non-compliance with measures adopted in accordance with paragraph 1 above.
- (3) Parties shall, as far as possible and as appropriate, cooperate in cases of alleged violation of domestic access and benefit-sharing legislation or regulatory requirements referred to in paragraph 1 above.

Article 16.

Compliance with Domestic Legislation or Regulatory Requirements on Access and Benefit-sharing for Traditional Knowledge Associated with Genetic Resources

- (1) Each Party shall take appropriate, effective and proportionate legislative, administrative or policy measures, as appropriate, to provide that traditional knowledge associated with genetic resources utilized within their jurisdiction has been accessed in accordance with prior informed consent or approval and involvement of indigenous and local communities and that mutually agreed terms have been established, as required by domestic access and benefit-sharing legislation or regulatory requirements of the other Party where such indigenous and local communities are located.
- (2) Each Party shall take appropriate, effective and proportionate measures to address situations of non-compliance with measures adopted in accordance with paragraph 1 above.
- (3) Parties shall, as far as possible and as appropriate, cooperate in cases of alleged violation of domestic access and benefit-sharing legislation or regulatory requirements referred to in paragraph 1 above.

Article 17.

Monitoring the Utilization of Genetic Resources

- (1) To support compliance, each Party shall take measures, as appropriate, to monitor and to enhance transparency about the utilization of genetic resources. Such measures shall include:
 - (a) The designation of one or more checkpoints, as follows:
 - (i) Designated checkpoints would collect or receive, as appropriate, relevant information related to prior informed consent, to the source of the genetic resource, to the establishment of mutually agreed terms, and/or to the utilization of genetic resources, as appropriate;

- (ii) Each Party shall, as appropriate and depending on the particular characteristics of a designated checkpoint, require users of genetic resources to provide the information specified in the above paragraph at a designated checkpoint. Each Party shall take appropriate, effective and proportionate measures to address situations of non-compliance;
 - (iii) Such information, including from internationally recognized certificates of compliance where they are available, will, without prejudice to the protection of confidential information, be provided to relevant national authorities, to the Party providing prior informed consent and to the Access and Benefit-sharing Clearing-House, as appropriate;
 - (iv) Checkpoints must be effective and should have functions relevant to implementation of this subparagraph (a). They should be relevant to the utilization of genetic resources, or to the collection of relevant information at, inter alia, any stage of research, development, innovation, pre commercialization or commercialization.
- (b) Encouraging users and providers of genetic resources to include provisions in mutually agreed terms to share information on the implementation of such terms, including through reporting requirements; and
 - (c) Encouraging the use of cost-effective communication tools and systems.
- (2) A permit or its equivalent issued in accordance with Article 6, paragraph 3 (e) and made available to the Access and Benefit-sharing Clearing-House, shall constitute an internationally recognized certificate of compliance.
 - (3) An internationally recognized certificate of compliance shall serve as evidence that the genetic resource which it covers has been accessed in accordance with prior informed consent and that mutually agreed terms have been established, as required by the domestic access and benefit-sharing legislation or regulatory requirements of the Party providing prior informed consent.
 - (4) The internationally recognized certificate of compliance shall contain the following minimum information when it is not confidential:
 - (a) Issuing authority;
 - (b) Date of issuance;
 - (c) The provider;
 - (d) Unique identifier of the certificate;
 - (e) The person or entity to whom prior informed consent was granted;
 - (f) Subject-matter or genetic resources covered by the certificate;
 - (g) Confirmation that mutually agreed terms were established;
 - (h) Confirmation that prior informed consent was obtained; and
 - (i) Commercial and/or non-commercial use.

Article 18.

Compliance with Mutually Agreed Terms

- (1) In the implementation of Article 6, paragraph 3 (g) (i) and Article 7, each Party shall encourage providers and users of genetic resources and/or traditional knowledge associated with genetic resources to include provisions in mutually agreed terms to cover, where appropriate, dispute resolution including:
 - (a) The jurisdiction to which they will subject any dispute resolution processes;
 - (b) The applicable law; and/or
 - (c) Options for alternative dispute resolution, such as mediation or arbitration.
- (2) Each Party shall ensure that an opportunity to seek recourse is available under their legal systems, consistent with applicable jurisdictional requirements, in cases of disputes arising from mutually agreed terms.
- (3) Each Party shall take effective measures, as appropriate, regarding:
 - (a) Access to justice; and
 - (b) The utilization of mechanisms regarding mutual recognition and enforcement of foreign judgments and arbitral awards.
- (4) The effectiveness of this article shall be reviewed by the Conference of the Parties serving as the meeting of the Parties to this Protocol in accordance with Article 31 of this Protocol.

Article 19.

Model Contractual Clauses

- (1) Each Party shall encourage, as appropriate, the development, update and use of sectoral and cross-sectoral model contractual clauses for mutually agreed terms.
- (2) The Conference of the Parties serving as the meeting of the Parties to this Protocol shall periodically take stock of the use of sectoral and cross-sectoral model contractual clauses.

Article 20.

Codes of Conduct, Guidelines, and Best Practices and/or Standards

- (1) Each Party shall encourage, as appropriate, the development, update and use of voluntary codes of conduct, guidelines and best practices and/or standards in relation to access and benefit-sharing.
- (2) The Conference of the Parties serving as the meeting of the Parties to this Protocol shall periodically take stock of the use of voluntary codes of conduct, guidelines and best practices

and/or standards and consider the adoption of specific codes of conduct, guidelines and best practices and/or standards.

Article 21.

Awareness-raising

Each Party shall take measures to raise awareness of the importance of genetic resources and traditional knowledge associated with genetic resources, and related access and benefit-sharing issues. Such measures may include, inter alia:

- (a) Promotion of this Protocol, including its objective;
- (b) Organization of meetings of indigenous and local communities and relevant stakeholders;
- (c) Establishment and maintenance of a help desk for indigenous and local communities and relevant stakeholders;
- (d) Information dissemination through a national clearing-house;
- (e) Promotion of voluntary codes of conduct, guidelines and best practices and/or standards in consultation with indigenous and local communities and relevant stakeholders;
- (f) Promotion of, as appropriate, domestic, regional and international exchanges of experience;
- (g) Education and training of users and providers of genetic resources and traditional knowledge associated with genetic resources about their access and benefit-sharing obligations;
- (h) Involvement of indigenous and local communities and relevant stakeholders in the implementation of this Protocol; and
- (i) Awareness-raising of community protocols and procedures of indigenous and local communities.

Article 22.

Capacity

- (1) The Parties shall cooperate in the capacity-building, capacity development and strengthening of human resources and institutional capacities to effectively implement this Protocol in developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, including through existing global, regional, subregional and national institutions and organizations. In this context, Parties should facilitate the involvement of indigenous and local communities and relevant stakeholders, including non-governmental organizations and the private sector.
- (2) The need of developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition for financial resources in accordance with the relevant provisions of the Convention shall be taken fully into account for capacity-building and development to implement this Protocol.

- (3) As a basis for appropriate measures in relation to the implementation of this Protocol, developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition should identify their national capacity needs and priorities through national capacity self-assessments. In doing so, such Parties should support the capacity needs and priorities of indigenous and local communities and relevant stakeholders, as identified by them, emphasizing the capacity needs and priorities of women.
- (4) In support of the implementation of this Protocol, capacity-building and development may address, inter alia, the following key areas:
 - (a) Capacity to implement, and to comply with the obligations of, this Protocol;
 - (b) Capacity to negotiate mutually agreed terms;
 - (c) Capacity to develop, implement and enforce domestic legislative, administrative or policy measures on access and benefit-sharing; and
 - (d) Capacity of countries to develop their endogenous research capabilities to add value to their own genetic resources.
- (5) Measures in accordance with paragraphs 1 to 4 above may include, inter alia:
 - (a) Legal and institutional development;
 - (b) Promotion of equity and fairness in negotiations, such as training to negotiate mutually agreed terms;
 - (c) The monitoring and enforcement of compliance;
 - (d) Employment of best available communication tools and Internet-based systems for access and benefit-sharing activities;
 - (e) Development and use of valuation methods;
 - (f) Bioprospecting, associated research and taxonomic studies;
 - (g) Technology transfer, and infrastructure and technical capacity to make such technology transfer sustainable;
 - (h) Enhancement of the contribution of access and benefit-sharing activities to the conservation of biological diversity and the sustainable use of its components;
 - (i) Special measures to increase the capacity of relevant stakeholders in relation to access and benefit-sharing; and
 - (j) Special measures to increase the capacity of indigenous and local communities with emphasis on enhancing the capacity of women within those communities in relation to access to genetic resources and/or traditional knowledge associated with genetic resources.
- (6) Information on capacity-building and development initiatives at national, regional and international levels, undertaken in accordance with paragraphs 1 to 5 above, should be provided to the Access and Benefit-sharing Clearing-House with a view to promoting synergy and coordination on capacity-building and development for access and benefit-sharing.

Article 23.

Technology Transfer, Collaboration and Cooperation

In accordance with Articles 15, 16, 18 and 19 of the Convention, the Parties shall collaborate and cooperate in technical and scientific research and development programmes, including biotechnological research activities, as a means to achieve the objective of this Protocol. The Parties undertake to promote and encourage access to technology by, and transfer of technology to, developing country Parties, in particular the least developed countries and small island developing States among them, and Parties with economies in transition, in order to enable the development and strengthening of a sound and viable technological and scientific base for the attainment of the objectives of the Convention and this Protocol. Where possible and appropriate such collaborative activities shall take place in and with a Party or the Parties providing genetic resources that is the country or are the countries of origin of such resources or a Party or Parties that have acquired the genetic resources in accordance with the Convention.

Article 24.

Non-Parties

The Parties shall encourage non-Parties to adhere to this Protocol and to contribute appropriate information to the Access and Benefit-sharing Clearing-House.

Article 25.

Financial Mechanism and Resources

- (1) In considering financial resources for the implementation of this Protocol, the Parties shall take into account the provisions of Article 20 of the Convention.
- (2) The financial mechanism of the Convention shall be the financial mechanism for this Protocol.
- (3) Regarding the capacity-building and development referred to in Article 22 of this Protocol, the Conference of the Parties serving as the meeting of the Parties to this Protocol, in providing guidance with respect to the financial mechanism referred to in paragraph 2 above, for consideration by the Conference of the Parties, shall take into account the need of developing country Parties, in particular the least developed countries and small island developing States among them, and of Parties with economies in transition, for financial resources, as well as the capacity needs and priorities of indigenous and local communities, including women within these communities.
- (4) In the context of paragraph 1 above, the Parties shall also take into account the needs of the developing country Parties, in particular the least developed countries and small island developing States among them, and of the Parties with economies in transition, in their efforts

to identify and implement their capacity-building and development requirements for the purposes of the implementation of this Protocol.

- (5) The guidance to the financial mechanism of the Convention in relevant decisions of the Conference of the Parties, including those agreed before the adoption of this Protocol, shall apply, *mutatis mutandis*, to the provisions of this Article.
- (6) The developed country Parties may also provide, and the developing country Parties and the Parties with economies in transition avail themselves of, financial and other resources for the implementation of the provisions of this Protocol through bilateral, regional and multilateral channels.

Article 26.

Conference of the Parties Serving as the Meeting of the Parties to this Protocol

- (1) The Conference of the Parties shall serve as the meeting of the Parties to this Protocol.
- (2) Parties to the Convention that are not Parties to this Protocol may participate as observers in the proceedings of any meeting of the Conference of the Parties serving as the meeting of the Parties to this Protocol. When the Conference of the Parties serves as the meeting of the Parties to this Protocol, decisions under this Protocol shall be taken only by those that are Parties to it.
- (3) When the Conference of the Parties serves as the meeting of the Parties to this Protocol, any member of the Bureau of the Conference of the Parties representing a Party to the Convention but, at that time, not a Party to this Protocol, shall be substituted by a member to be elected by and from among the Parties to this Protocol.
- (4) The Conference of the Parties serving as the meeting of the Parties to this Protocol shall keep under regular review the implementation of this Protocol and shall make, within its mandate, the decisions necessary to promote its effective implementation. It shall perform the functions assigned to it by this Protocol and shall:
 - (a) Make recommendations on any matters necessary for the implementation of this Protocol;
 - (b) Establish such subsidiary bodies as are deemed necessary for the implementation of this Protocol;
 - (c) Seek and utilize, where appropriate, the services and cooperation of, and information provided by, competent international organizations and intergovernmental and non-governmental bodies;
 - (d) Establish the form and the intervals for transmitting the information to be submitted in accordance with Article 29 of this Protocol and consider such information as well as reports submitted by any subsidiary body;

- (e) Consider and adopt, as required, amendments to this Protocol and its Annex, as well as any additional annexes to this Protocol, that are deemed necessary for the implementation of this Protocol; and
 - (f) Exercise such other functions as may be required for the implementation of this Protocol.
- (5) The rules of procedure of the Conference of the Parties and financial rules of the Convention shall be applied, *mutatis mutandis*, under this Protocol, except as may be otherwise decided by consensus by the Conference of the Parties serving as the meeting of the Parties to this Protocol.
 - (6) The first meeting of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be convened by the Secretariat and held concurrently with the first meeting of the Conference of the Parties that is scheduled after the date of the entry into force of this Protocol. Subsequent ordinary meetings of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be held concurrently with ordinary meetings of the Conference of the Parties, unless otherwise decided by the Conference of the Parties serving as the meeting of the Parties to this Protocol.
 - (7) Extraordinary meetings of the Conference of the Parties serving as the meeting of the Parties to this Protocol shall be held at such other times as may be deemed necessary by the Conference of the Parties serving as the meeting of the Parties to this Protocol, or at the written request of any Party, provided that, within six months of the request being communicated to the Parties by the Secretariat, it is supported by at least one third of the Parties.
 - (8) The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State member thereof or observers thereto not party to the Convention, may be represented as observers at meetings of the Conference of the Parties serving as the meeting of the Parties to this Protocol. Any body or agency, whether national or international, governmental or non-governmental, that is qualified in matters covered by this Protocol and that has informed the Secretariat of its wish to be represented at a meeting of the Conference of the Parties serving as a meeting of the Parties to this Protocol as an observer, may be so admitted, unless at least one third of the Parties present object. Except as otherwise provided in this Article, the admission and participation of observers shall be subject to the rules of procedure, as referred to in paragraph 5 above.

Article 27.

Subsidiary Bodies

- (1) Any subsidiary body established by or under the Convention may serve this Protocol, including upon a decision of the Conference of the Parties serving as the meeting of the Parties to this Protocol. Any such decision shall specify the tasks to be undertaken.
- (2) Parties to the Convention that are not Parties to this Protocol may participate as observers in the proceedings of any meeting of any such subsidiary bodies. When a subsidiary body of the

Convention serves as a subsidiary body to this Protocol, decisions under this Protocol shall be taken only by Parties to this Protocol.

- (3) When a subsidiary body of the Convention exercises its functions with regard to matters concerning this Protocol, any member of the bureau of that subsidiary body representing a Party to the Convention but, at that time, not a Party to this Protocol, shall be substituted by a member to be elected by and from among the Parties to this Protocol.

Article 28.

Secretariat

- (1) The Secretariat established by Article 24 of the Convention shall serve as the secretariat to this Protocol.
- (2) Article 24, paragraph 1, of the Convention on the functions of the Secretariat shall apply, *mutatis mutandis*, to this Protocol.
- (3) To the extent that they are distinct, the costs of the secretariat services for this Protocol shall be met by the Parties hereto. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first meeting, decide on the necessary budgetary arrangements to this end.

Article 29.

Monitoring and Reporting

Each Party shall monitor the implementation of its obligations under this Protocol, and shall, at intervals and in the format to be determined by the Conference of the Parties serving as the meeting of the Parties to this Protocol, report to the Conference of the Parties serving as the meeting of the Parties to this Protocol on measures that it has taken to implement this Protocol.

Article 30.

Procedures and Mechanisms to Promote Compliance with this Protocol

The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first meeting, consider and approve cooperative procedures and institutional mechanisms to promote compliance with the provisions of this Protocol and to address cases of non-compliance. These procedures and mechanisms shall include provisions to offer advice or assistance, where appropriate. They shall be separate from, and without prejudice to, the dispute settlement procedures and mechanisms under Article 27 of the Convention.

Article 31.

Assessment and Review

The Conference of the Parties serving as the meeting of the Parties to this Protocol shall undertake, four years after the entry into force of this Protocol and thereafter at intervals determined by the Conference of the Parties serving as the meeting of the Parties to this Protocol, an evaluation of the effectiveness of this Protocol.

Article 32.

Signature

This Protocol shall be open for signature by Parties to the Convention at the United Nations Headquarters in New York, from 2 February 2011 to 1 February 2012.

Article 33.

Entry Into Force

- (1) This Protocol shall enter into force on the ninetieth day after the date of deposit of the fiftieth instrument of ratification, acceptance, approval or accession by States or regional economic integration organizations that are Parties to the Convention.
- (2) This Protocol shall enter into force for a State or regional economic integration organization that ratifies, accepts or approves this Protocol or accedes thereto after the deposit of the fiftieth instrument as referred to in paragraph 1 above, on the ninetieth day after the date on which that State or regional economic integration organization deposits its instrument of ratification, acceptance, approval or accession, or on the date on which the Convention enters into force for that State or regional economic integration organization, whichever shall be the later.
- (3) For the purposes of paragraphs 1 and 2 above, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

Article 34.

Reservations

No reservations may be made to this Protocol.

Article 35.

Withdrawal

- (1) At any time after two years from the date on which this Protocol has entered into force for a Party, that Party may withdraw from this Protocol by giving written notification to the Depositary.
- (2) Any such withdrawal shall take place upon expiry of one year after the date of its receipt by the Depositary, or on such later date as may be specified in the notification of the withdrawal.

Article 36.

Authentic Text

The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Protocol on the dates indicated.

DONE at Nagoya on this twenty-ninth day of October, two thousand and ten.

Annex.

Monetary and Non-monetary Benefits

- (1) Monetary benefits may include, but not be limited to:
 - (a) Access fees/fee per sample collected or otherwise acquired;
 - (b) Up-front payments;
 - (c) Milestone payments;
 - (d) Payment of royalties;
 - (e) Licence fees in case of commercialization;
 - (f) Special fees to be paid to trust funds supporting conservation and sustainable use of biodiversity;
 - (g) Salaries and preferential terms where mutually agreed;
 - (h) Research funding;
 - (i) Joint ventures;
 - (j) Joint ownership of relevant intellectual property rights.

- (2) Non-monetary benefits may include, but not be limited to:
- (a) Sharing of research and development results;
 - (b) Collaboration, cooperation and contribution in scientific research and development programmes, particularly biotechnological research activities, where possible in the Party providing genetic resources;
 - (c) Participation in product development;
 - (d) Collaboration, cooperation and contribution in education and training;
 - (e) Admittance to ex situ facilities of genetic resources and to databases;
 - (f) Transfer to the provider of the genetic resources of knowledge and technology under fair and most favourable terms, including on concessional and preferential terms where agreed, in particular, knowledge and technology that make use of genetic resources, including biotechnology, or that are relevant to the conservation and sustainable utilization of biological diversity;
 - (g) Strengthening capacities for technology transfer;
 - (h) Institutional capacity-building;
 - (i) Human and material resources to strengthen the capacities for the administration and enforcement of access regulations;
 - (j) Training related to genetic resources with the full participation of countries providing genetic resources, and where possible, in such countries;
 - (k) Access to scientific information relevant to conservation and sustainable use of biological diversity, including biological inventories and taxonomic studies;
 - (l) Contributions to the local economy;
 - (m) Research directed towards priority needs, such as health and food security, taking into account domestic uses of genetic resources in the Party providing genetic resources;
 - (n) Institutional and professional relationships that can arise from an access and benefit-sharing agreement and subsequent collaborative activities;
 - (o) Food and livelihood security benefits;
 - (p) Social recognition;
 - (q) Joint ownership of relevant intellectual property rights.

PREAMBLE
TO
THE BIOLOGICAL DIVERSITY ACT, 2002
[No. 18 of 2003]

(5th February, 2003)

An Act to provide for 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 for matters connected therewith or incidental thereto.

WHEREAS India is rich in biological diversity and associated traditional and contemporary knowledge system relating thereto.

AND WHEREAS India is a party to the United Nations Convention on Biological Diversity signed at Rio de Janeiro on the 5th day of June, 1992;

AND WHEREAS the said Convention came into force on the 29th December, 1993;

AND WHEREAS the said Convention reaffirms the sovereign rights of the States over their biological resources;

AND WHEREAS the said Convention has the main objective of conservation of biological diversity, sustainable use of its components and fair and equitable sharing of the benefits arising out of utilization of genetic resources;

AND WHEREAS it is considered necessary to provide for conservation, sustainable utilization and equitable sharing of the benefits arising out of utilization of genetic resources and also to give effect to the said Convention.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India.



ABS Relevant Sections of Biological Diversity Act, 2002

Chapter – I

2. Definitions

In this Act, unless the context otherwise requires,—

- (a) "benefit claimers" means the conservers of biological resources, their by products, creators and holders of knowledge and information relating to the use of such biological resources, innovations and practices associated with such use and application;
- (b) "biological diversity" means the variability among living organisms from all sources and the ecological complexes of which they are part, and includes diversity within species or between species and of eco-systems;
- (c) "biological resources" means plants, animals and micro-organisms or parts thereof, their genetic material and by-products (excluding value added products) with actual or potential use or value, but does not include human genetic material;
- (d) "bio-survey and bio-utilization" means survey or collection of species, subspecies, genes, components and extracts of biological resource for any purpose and includes characterization, inventorisation and bioassay;
- (e) "Chairperson" means the Chairperson of the National Biodiversity Authority or, as the case may be, of the State Biodiversity Board;
- (f) "commercial utilization" means end uses of biological resources for commercial utilization such as drugs, industrial enzymes, food flavours, fragrance, cosmetics, emulsifiers, oleoresins, colours, extracts and genes used for improving crops and livestock through genetic intervention, but does not include conventional breeding or traditional practices in use in any agriculture, horticulture, poultry, dairy farming, animal husbandry or bee keeping;
- (g) "fair and equitable benefit sharing" means sharing of benefits as determined by the National Biodiversity Authority under section 21;
- (h) "local bodies" means Panchayats and Municipalities, by whatever name called, within the meaning of clause (1) of article 243B and clause (1) of article 243Q of the Constitution and in the absence of any Panchayats or Municipalities, institutions of self-government constituted under any other provision of the Constitution or any Central Act or State Act;
- (i) "member" means a member of the National Biodiversity Authority or a State Biodiversity Board and includes the Chairperson;
- (j) "National Biodiversity Authority" means the National Biodiversity Authority established under section 8;
- (k) "prescribed" means prescribed by rules made 1 under this Act;
- (l) "regulations" means regulations made under this Act;

- (m) "research" means study or systematic investigation of any biological resource or technological application, that uses biological systems, living organisms or derivatives thereof to make or modify products or processes for any use;
- (n) "State Biodiversity Board" means the State Biodiversity Board established under section 22;
- (o) "sustainable use" means the use of components of biological diversity in such manner and at such rate that does not lead to the long-term decline of the biological diversity thereby maintaining its potential to meet the needs and aspirations of present and future generations;
- (p) "value added products" means products which may contain portions or extracts of plants and animals in unrecognizable and physically inseparable form.

Chapter – II

Regulation of Access to Biological Diversity

3. **Certain persons not to undertake Biodiversity related activities without approval of National Biodiversity Authority**

- (1) No person referred to in sub-section (2) shall, without previous approval of the National Biodiversity Authority, obtain any biological resource occurring in India or knowledge associated thereto for research or for commercial utilization or for bio-survey and bio-utilization.
- (2) The persons who shall be required to take the approval of the National Biodiversity Authority under sub-section (1) are the following, namely:
 - (a) a person who is not a citizen of India;
 - (b) a citizen of India, who is a non-resident as defined in clause (30) of section 2 of the Income-tax Act, 1961;
 - (c) a body corporate, association or organization-
 - (i) not incorporated or registered in India; or
 - (ii) 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.

7. **Prior intimation to State Biodiversity Board for obtaining biological resource for certain purposes**

No person, who is a citizen of India or a body corporate, association or organization which is registered in India, shall obtain any biological resource for commercial utilization, or bio-survey and bio-utilization for commercial utilization except after giving prior intimation to the State Biodiversity Board concerned: Provided that the provisions of this section shall not apply to the local people and communities of the area, including growers and cultivators of biodiversity, and vaidas and hakims, who have been practicing indigenous medicine.

Chapter – V

21. Determination of equitable benefit sharing by National Biodiversity Authority

- (1) The National Biodiversity Authority shall while granting approvals under section 19 or section 20 ensure that the terms and conditions subject to which approval is granted secures equitable sharing of benefits arising out of the use of accessed biological resources, their by-products, innovations and practices associated with their use and applications and knowledge relating thereto in accordance with mutually agreed terms and conditions between the person applying for such approval, local bodies concerned and the benefit claimers.
- (2) The National Biodiversity Authority shall, subject to any regulations made in this behalf, determine the benefit sharing which shall be given effect in all or any of the following manner, namely:
 - (a) grant of joint ownership of intellectual property rights to the National Biodiversity Authority, or where benefit claimers are identified, to such benefit claimers;
 - (b) transfer of technology;
 - (c) location of production, research and development units in such areas which will facilitate better living standards to the benefit claimers;
 - (d) association of Indian scientists, benefit claimers and the local people with research and development in biological resources and bio-survey and bio-utilization;
 - (e) setting up of venture capital fund for aiding the cause of benefit claimers;
 - (f) payment of monetary compensation and non-monetary benefits to the benefit claimers as the National Biodiversity Authority may deem fit.
- (3) Where any amount of money is ordered by way of benefit sharing, the National Biodiversity Authority may direct the amount to be deposited in the National Biodiversity Fund:

Provided that where biological resource or knowledge was a result of access from specific individual or group of individuals or organizations, the National Biodiversity Authority may direct that the amount shall be paid directly to such individual or group of individuals or organizations in accordance with the terms of any agreement and in such manner as it deems fit.

- (4) For the purposes of this section, the National Biodiversity Authority shall, in consultation with the Central Government, by regulations, frame guidelines.

Chapter – VI

23. Functions of State Biodiversity Board.

The functions of the State Biodiversity Board shall be to—

- (a) advise the State Government, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilization of biological resources;
- (b) regulate by granting of approvals or otherwise requests for commercial utilization or bio-survey and bio-utilization of any biological resource by Indians;
- (c) perform such other functions as may be necessary to carry out the provisions of this Act or as may be prescribed by the State Government.

24. Power of State Biodiversity Board to restrict certain activities violating the objectives of conservation etc.

- (1) Any citizen of India or a body corporate, organization or association registered in India intending to undertake any activity referred to in section 7 shall give prior intimation in such form as may be prescribed by the State Government to the State Biodiversity Board.
- (2) On receipt of an intimation under sub-section (1), the State Biodiversity Board may, in consultation with the local bodies concerned and after making such enquires as it conservation, may deem fit, by order, prohibit or restrict any such activity if it is of opinion that such activity is detrimental or contrary to the objectives of conservation and sustainable use of biodiversity or equitable sharing of benefits arising out of such activity:

Provided that no such order shall be made without giving an opportunity of being heard to the person affected.

- (3) Any information given in the form referred to in sub-section (1) for prior intimation shall be kept confidential and shall not be disclosed, either intentionally or unintentionally, to any person not concerned thereto.

25. Provisions of sections 9 to 17 to apply with modifications to State Biodiversity Board

The provisions of sections 9 to 17 shall apply to a State Biodiversity Board and shall have effect subject to the following modifications, namely:

- (a) references to the Central Government shall be construed as references to the State Government;
- (b) references to the National Biodiversity Authority shall be construed as references to the State Biodiversity Board; Provisions of sections 9 to 17 to apply with modifications to State Biodiversity Board.
- (c) reference to the Consolidated Fund of India shall be construed as reference to the Consolidated Fund of the State.

Chapter – IX

40. Power of Central Government to exempt certain biological resources

Notwithstanding anything contained in this Act, the Central Government may, in consultation with the National Biodiversity Authority, by notification in the Official Gazette, declare that the provisions of this Act shall not apply to any items, including biological resources normally traded as commodities.

Chapter – XII

52. Appeal

Any person, aggrieved by any determination of benefit sharing or order of the National Biodiversity Authority or a State Biodiversity Board under this Act, may file an appeal to the High Court within thirty days from the date of communication to him, of the determination or order of the National Biodiversity Authority or the State Biodiversity Board, as the case may be: Provided that the High Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal-within the said period, allow it to be filed within a further period not exceeding sixty days.

*Provided further that nothing contained in this section shall apply on and from the commencement of the National Green Tribunal Act, 2010.

Provide also that any appeal pending before the High Court, before the commencements of the National Green Tribunal Act, 2010, shall continued to be heard and disposed of by the High Court as if the National Green Tribunal had not been established under section 3 of the National Green Tribunal Act, 2010.

55. Penalties

- (1) Whoever contravenes or to or abets the contravention of the provisions of section 3 or section 4 or section 6 shall be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to ten lakh rupees and where the damage caused exceeds ten lakh rupees such fine may commensurate with the damage caused, or with both.
- (2) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of section 7 or any order made under sub-section (2) of section 24 shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five lakh rupees, or with both.

56. Penalty for contravention of directions or orders of Central government, State government, National Biodiversity Authority and State Biodiversity Boards

If any person contravenes any direction given or order made by the Central Government, the State Government, the National Biodiversity Authority or the State Biodiversity Board for which no punishment has been separately provided under this Act, he shall be punished with

a fine which may extend to one lakh rupees and in case of a second or subsequent offence, with fine which may extend to two lakh rupees and in the case of continuous contravention with additional fine which may extend to two lakh rupees everyday during which the default continues.

57. Offences by companies

- (1) Where an offence or contravention under this Act has been committed by a company, every person who at the time the offence or contravention was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence or contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence or contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence or contravention.

- (2) Notwithstanding anything contained in sub-section (1), where an offence or contravention under this Act has been committed by a company and it is proved that the offence or contravention has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence or contravention and shall be liable to be proceeded against and punished accordingly.

Explanation -For the purposes of this section,–

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
(b) "director", in relation to a firm, means a partner in the firm.

58. Offences to be cognizable and non-bailable

The offences under this Act shall be cognizable and non-bailable.

59. Act to have effect in addition to other Acts

The provisions of this Act shall be in addition to, and not in derogation of, the provisions in any other law, for the time being in force, relating to forests or wildlife.

61. Cognizance of offences

No Court shall take cognizance of any offence under this Act except on a complaint made by–

- (a) the Central Government or any authority or officer authorized in this behalf by that Government; or

- (b) any benefit claimer who has given notice of not less than thirty days in the prescribed manner, of such offence and of his intention to make a complaint, to the Central Government or the authority or officer authorized as aforesaid.

63. Power of State Government to make rules

- (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—
 - (a) the other functions to be performed by the State Biodiversity Board under clause (c) of section 23;
 - (b) the form in which the prior intimation shall be given under sub-section (1) of section 24;
 - (c) the form in which, and the time of each financial year at which, the annual report shall be prepared under section 33;
 - (d) the manner of maintaining and auditing the accounts of the State Biodiversity Board and the date before which its audited copy of the accounts together with auditor's report thereon shall be furnished under section 34;
 - (e) management and conservation of national heritage sites under section 37;
 - (f) the manner of management and custody of the Local Biodiversity Fund and the purposes for which such Fund shall be applied under sub-section (1) of section 44;
 - (g) the form of annual report and the time at which such report shall be prepared during each financial year under section 45;
 - (h) the manner of maintaining and auditing the accounts of the Local Biodiversity Fund and the date before which its audited copy of the accounts together with auditor's report thereon shall be furnished under section 46;
 - (i) any other matter which is to be, or may be, specified.
- (3) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

64. Power to make regulations

The National Biodiversity Authority shall, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations for carrying out the purposes of this Act

ABS Relevant Sections of Uttarakhand Biodiversity Rules, 2015

9. Functions of Member-Secretary of the Board

- (1) The Member-Secretary shall act as Head of the office for day to day administration, management of funds and implementation of various activities of the programmes under the guidance of the Chairperson of the Board.
- (2) All orders or instructions issued by the Chairperson shall be under the signature of the Member-Secretary or of any other Chairperson may sanction and disburse all payments against the approved budget.
- (3) The Member-Secretary or an officer duly authorized by the Chairperson may sanction and disburse all payments against the approved budget.
- (4) The Member-Secretary shall responsible for the safe custody of all documents including confidential papers of the Board and he shall produce such papers whenever directed by the Board/State Government.
- (5) The Member-Secretary shall write and maintain confidential reports of all the officers and staff of the Board and shall get them countersigned by the Chairperson.
- (6) The Member-Secretary shall perform such other functions as may be assigned to him by the Chairperson/Board/State Government from time to time.

14. Procedure for access to biological resources and associated traditional knowledge.

- (1) Any citizen of India or a body corporate, organization or association registered in India, intending to undertake any activity referred to in Sec. 7 of the act, in the territory of Uttarakhand, shall give prior intimation to the Board in Form-1.
- (2) Every such application in Form-1, shall be accompanied by fees in the form of demand draft from Nationalized Bank as prescribed below for different kinds of commercial utilization of biological resources:

(i)	For commercial utilization such as trading and manufacturing	:	₹ 10,000/-
(ii)	For bio-survey/bio-utilization/research etc. meant for commercial utilization	:	₹ 5,000/-
(iii)	For bio-survey/bio-utilization/research etc. not for commercial utilization	:	No fee

Provided that the above fee may be revised by the Board from time to time.

- (3) The Board shall, in consultation with the concerned local bodies, after collecting such other information, as may be required and making such enquires, as it may deem fit, dispose of the application, as far as possible, within a period of six months from the date of its receipt.
- (4) On being satisfied with the merit of the application, the Board may grant the approval for access to biological resources and associated knowledge subject to such term and conditions as it may deem fit to impose.

- (5) A written agreement to access and benefit sharing (ABS) shall also be signed between authorized officer of the Board and the applicant. The format of the agreement shall be as prescribed by the Board from time to time.

Provided that the access and benefit sharing shall be implemented in the manner provided in the guidelines/regulations as notified by National Biodiversity Authority/Central Government from time to time.

- (6) The approval of access/collection of biological resources may provide special measures for its conservation and maintenance of biological resource to which the access to/collection is being granted.
- (7) The Board may for reasons to be recorded in writing reject the application, if it considers that the request cannot be acceded to.
- (8) No application shall be rejected unless the applicant is given a reasonable opportunity of being heard.
- (9) Any information given in Form-1 as prior intimation shall be kept confidential.

15. Revocation of access or approval

- (1) The Board may either on the basis of any complaint or suo moto withdraw the approval granted for access and revoke the written agreement under the following conditions; namely:-
 - (a) on the basis of reasonable belief that the person to whom the approval was granted has violated any of the provisions of the Act or the condition on which the approval was granted;
 - (b) when the person who has been granted approval has failed to comply with the terms of the agreement;
 - (c) on failure to comply with any of the conditions of access granted;
 - (d) on account of overriding public interest or for protection of environment and conservation of biological diversity;
- (2) The Board shall send a copy of every order of revocation issued by it to the concerned Biodiversity Management Committees for prohibiting the access and also to assess the damage, if any, caused and take steps to recover the damage.

16. Restriction on activities related to access to biological resources:

- (1) The Board, if it deems necessary and appropriate shall take steps to restrict or prohibit the request for access to biological resources for the following reasons; namely:-
 - (a) the request for access is for any endangered taxa;
 - (b) the request for access is for any endemic and rare species;
 - (c) the request for access may likely to result in adverse effect on the livelihoods, culture and traditional knowledge of the local people;

- (d) the request to access may result in adverse environmental impact which may be difficult to control and mitigate;
- (e) the request for access may cause genetic erosion or affecting the ecosystem function;
- (f) use of biological resources for purpose contrary to interest of State Government, national interest, and other related international agreements entered into by India.

20. Settlement of disputes

If a dispute arises between two or more Biodiversity Management Committee(s) or between Biodiversity Management Committee(s) and department(s) or between two department(s) on any issue related to the subject of biodiversity, the aggrieved party(s) may file application before the Chairperson of the Board in prescribed **Form-4**. The order of the Chairperson shall be final & shall be applicable to all the parties.

FORM - 1**Application form for access to Biological Resources and associated traditional knowledge**

[See Sec. 24 of the Act and Rule 14(1)]

PART-A

1. Full particulars of the applicant
 - i. Name :
 - ii. Permanent Address :
 - iii. Address of the contact person/agent, if any :
 - iv. Profile of the person/organization (Please attach relevant documents of authentication) :
 - v. Nature of Business :
 - vi. Turnover of the organization :
 - (a) Financial year
 - (b) Turnover
 - vii. Different kinds of taxes paid to the Government during above mentioned financial year:
2. Details and specific information about nature of access sought and biological material and associated knowledge to be accessed
 - (a) Identification (scientific name) of biological resources and its traditional use:
 - (b) Geographical location of proposed collection:
 - (c) Description/nature of traditional knowledge (oral/documental):
 - (d) Any identified individual/community holding the traditional knowledge:
 - (e) Quantity, rate and cost of biological resources to be collected (give the schedule):
 - (f) Time span in which the biological resources is proposed to be collected:
 - (g) Name of person authorized by the company for making the selection:
 - (h) The purpose for which the access is requested including the type and extent of research, commercial use being derived and expected to be derived from it:
 - (i) Whether any collection of the resource endangers any component of biological diversity or the risks which may arise from the access:

3. Details of national institution which will participate in the Research and Development activities.
4. Primary destination of accessed resource and identity of the location where the R&D will be carried out.
5. The benefits arising or expected to arise from the access to biological resource or knowledge (estimate of the benefits):
6. The system and arrangement for the sharing of benefits:
7. Details of Payment of applicant fee (Draft No.....
Bank Name..... Amount
Date.....
8. Other Information, if understood as relevant :

PART-B

DECLARATION

I/we declare that:

- Collection of proposed biological resources shall not adversely affect the sustainability of the resources;
- Collection of proposed biological resources shall not entail any environmental impact;
- Collection of proposed biological resources shall not pose any risk to ecosystems;
- Collection of proposed biological resources shall not adversely affect the local communities;

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.

Signed

Applicant Name/Organization Name & Stamp

Place

Date

FORM - 2**Annual Report Format for Uttarakhand Biodiversity Board**

[See Section 33 of the act and Rule 17(3)]

The “Annual Report” to be prepared by Uttarakhand Biodiversity Board may have the following heads:

1. The period to which the report relates (Financial Year):
2. The office bearer during the period:
 - (i) Name of the Chairman :
 - (ii) Name of the Member Secretary :
3. Introduction and Biodiversity profile of the state :
4. Constitution of the Board :
5. Meetings of the Board, decisions taken and the minutes of meeting :
6. Progress report with respect to the constitution of BMC in the state :
7. Progress report with respect to preparation of Peoples Biodiversity Register (PBR) :
 - (i) Documentation :
 - (ii) Updation :
 - (iii) Validation :
8. Progress report towards the declaration of Biological Heritage Sites (BHS) :
9. Progress report of the ongoing projects (if any) and proposed projects :
10. Statement of any other programmes /activities/ celebration during the year:
11. Activities related to Biodiversity Strategy & Action Plan :
12. Activities related to Human Resource Development (Workshop/ Training Programmes / Conference/Seminars etc :
13. Financial position & Balance Sheet of the Board including Auditor’s Report :
14. Annual Financial Report :
15. Brief account of the state of Access and Benefit Sharing with respect to the Biological resource and traditional knowledge :
16. Important communication between BMC – SBB – NBA :
17. Photographs, News clipping (if any):
18. Any other information :

FORM - 3

Annual Report Format for Biodiversity Management Committee

[See Section 45 of the act and Rule 19(6)]

The “Annual Report” to be prepared by the Biodiversity management committee may have the following heads :

1. The name & particulars of the committee :
2. Constitution of the committee (Name of the members) :
3. The period to which the report relates (Financial Year) :
4. The incumbency of office for the period :
 - (i) Name of the Chairperson :
 - (ii) Name of the Secretary :
5. Detailed statement of programmes of action for the year :
6. Detailed report on the activities performed during the year :
7. A brief account of financial position of the committee :
8. Map of jurisdiction :
9. Progress of work in people’s Biodiversity Register (PBR) :
 - (i) Documentation :
 - (ii) Updation :
 - (iii) Validation in consultation with the SBB :
10. Minutes of meetings and resolutions & decisions taken by BMC :
11. BMC Annual Financial Report :
12. List of Visitors:
13. List of persons/organizations who were provided access to biological resources and traditional knowledge by BMC :
14. Detail of different receipts :
 - (i) Receipt by way of fee levied for collecting biological resources :
 - (ii) Receipt by way of providing access to traditional knowledge :
 - (iii) Receipt by way of Benefit sharing :
 - (iv) Receipt from other sources :
15. Important communication between BMC – SBB – NBA :
16. Photographs, News clipping (if any):
17. Any other information :

FORM – 4

Form of Application

(See rule 20)

BEFORE THE STATE BIODIVERSITY BOARD,

[Application No.of]]

.....
.....
.....

.....Applicant (s)

Vs.

.....
.....
.....

.....Respondent (s)

(Here, mention the designation of the BMC/ Department, as the case may be)

The applicant begs to prefer this application against the order dated passed by the Respondent on the following facts and grounds.

1. **FACTS :**

(Here briefly mention the facts of the case):

- i.
- ii.
- iii.
- iv.

2. **GROUND :**

(Here mention the grounds on which the application is made):

- i.
- ii.
- iii.
- iv.

3. RELIEF SOUGHT

- i.
- ii.
- iii.
- iv.

4. PRAYER

- (a) In the light of what is stated above, the applicant respectfully prays that the order/ decision of the respondent be quashed/set-aside.
- (b) Order / decision of the respondent be quashed / modified /annulled to the extent

Place :.....
 Dated:

Signature of the applicant
 With seal

Address

VERIFICATION

I, the applicant do hereby declare that what is stated above is true to the best of my information and belief. Verified onday of

Place :.....
 Dated:

Signature of the applicant
 With seal

Address

Enclosures: 1. Authenticated copy of the order/direction, against which the application has been preferred.



Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014





भारत का राजपत्र

EXTRAORDINARY

PART II-Section 3- Sub Section (i)

PUBLISHED BY AUTHORITY

[No. 612]

NEW DELHI, FRIDAY, NOVEMBER 21, 2014/KARTIKA 30, 1936

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE (National Biodiversity Authority)

NOTIFICATION

G.S.R 827: In exercise of the powers conferred by section 64 read with sub-section (1) of section 18 and sub-section (4) of section 21 of the Biological Diversity Act, 2002 (18 of 2003), hereinafter referred to as the Act, and in pursuance of the Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity dated the 29th October, 2010, the National Biodiversity Authority hereby makes the following regulations, namely:

Short title and commencement :

- (1) These regulations may be called Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014.
- (2) They shall come into force on the date of their publication in the Official Gazette.

1. Procedure for access to biological resources and/ or associated traditional knowledge for research or bio-survey and bio-utilization for research :

- (1) Any person referred to under sub-section (2) of section 3 of the Act, who intends to have access to biological resources and/or associated traditional knowledge for research or bio-survey and bio-utilization for research shall apply to the National Biodiversity Authority (NBA) in Form I of the Biological Diversity Rules, 2004 for obtaining access to such biological resource and/ or associated knowledge, occurring in India.

- (2) The NBA shall, on being satisfied with the application under sub-regulation (1), enter into a benefit sharing agreement with the applicant which shall be deemed as grant of approval for access to biological resource for research referred to in that sub-regulation:

Provided that in case of biological resources having high economic value, the agreement may contain a clause to the effect that the benefit sharing shall include an upfront payment by applicant, of such amount, as agreed between the NBA and the applicant.

2. Procedure for access to biological resources, for commercial utilization or for bio-survey and bio-utilization for commercial utilization :

- (1) Any person who intends to have access to biological resources including access to biological resources harvested by Joint Forest Management Committee (JFMC)/ Forest dweller/ Tribal cultivator/ Gram Sabha, shall apply to the NBA in Form-I of the Biological Diversity Rules, 2004 or to the State Biodiversity Board (SBB), in such form as may be prescribed by the SBB, as the case may be, along with Form 'A' annexed to these regulations.
- (2) The NBA or the SBB, as the case may be, shall, on being satisfied with the application under sub-regulation (1), enter into a benefit sharing agreement with the applicant which shall be deemed as grant of approval for access to biological resources, for commercial utilization or for bio-survey and bio-utilization for commercial utilization referred to in that sub-regulation.

3. Mode of benefit sharing for access to biological resources, for commercial utilization or for bio-survey and bio-utilization for commercial utilization :

- (1) Where the applicant/trader/manufacturer has not entered into any prior benefit sharing negotiation with persons such as the Joint Forest Management Committee (JFMC)/Forest dweller/Tribal cultivator/Gram Sabha, and purchases any biological resources directly from these persons, the benefit sharing obligations on the trader shall be in the range: of 1.0 to 3.0 % of the purchase price of the biological resource: and the benefit sharing obligations on the manufacturer shall be in the range of 3.0 to 5.0% of the purchase price of the biological resources:

Provided that where the trader sells the biological resource purchased by him to another trader or manufacturer, the benefit sharing obligation on the buyer, if he is a trader, shall range between 1.0 to 3.0% of the purchase price and between 3.0 to 5.0%, if he is a manufacturer:

Provided further that where a buyer submits proof of benefit sharing by the immediate seller in the supply chain, the benefit sharing obligation on the buyer shall be applicable only on that portion of the purchase price for which the benefit has not been shared in the supply chain.

- (2) Where the applicant/ trader/ manufacturer has entered into any prior benefit sharing negotiation with persons such as the Joint Forest Management Committee (JFMC)/ Forest dweller/ Tribal cultivator/ Gram Sabha, and purchases any biological resources directly from these persons, the benefit sharing obligations on the applicant shall be not less than 3.0% of

the purchase price of the biological resources in case the buyer is a trader and not less than 5.0% in case the buyer is a manufacturer.

- (3) In cases of biological resources having high economic value such as Sandalwood, Red sanders, etc. and their derivatives, the benefit sharing may include an upfront payment of not less than 5.0%, on the proceeds of the auction or sale amount, as decided by the NBA or SBB, as the case may be, and the successful bidder or the purchaser shall pay the amount to the designated fund, before accessing the biological resource.

4. Option of benefit sharing on sale price of the biological resources accessed for commercial utilization under regulation 2 :

When the biological resources are accessed for commercial utilization or the bio-survey and bio-utilization leads to commercial utilization, the applicant shall have the option to pay the benefit sharing ranging from 0.1 to 0.5 % at the following graded percentages 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 given below:

Annual Gross ex-factory sale of product	Benefit sharing component
Up to Rupees 1,00 00,000 (One Crore)	0.1 %
Rupees 1,00,00,00 1 up to 3 00,00,000 (Between 1 to Crore)	0.2 %
Above Rupees 3,00 00 000 (Above 3 Crore)	0.5 %

5. Collection of fees :

Collection of fees, if levied by Biodiversity Management Committee (BMC) for accessing or collecting any biological resource for commercial purposes from areas falling within its territorial jurisdiction under sub-section (3) of section 41 of the Act, shall be in addition to the benefit sharing payable to the NBA/SBB under these regulations.

6. Procedure for transfer of results of research relating to biological resources :

- (1) Any person who intends to transfer results of research relating to biological resources occurring in or obtained from India, to persons referred to under sub-section (2) of section 3 of the Act for monetary consideration or otherwise, shall -
- (a) Apply to the NBA in Form II of the Biological Diversity Rules, 2004 for transfer of the results of research relating to biological resources occurring in or obtained from India for any purpose;
 - (b) Provide evidence of approval of NBA for access to the biological resource and/or associated knowledge involved in the research:

Provided that the requirement of evidence under this clause shall not apply to an applicant who is a citizen of India or a body corporate, association or organization which is registered in India and not having any non-Indian participation in its share capital or management;

- (c) Provide complete information on potential commercial value within the knowledge of the applicant, of the results of research.
- (2) The NBA shall, on being satisfied with the application under sub-regulation (1), enter into a benefit sharing agreement with the applicant which shall be deemed as grant of approval for transfer of the results of research referred to in that sub-regulation.

7. Mode of benefit sharing for transfer of results of research :

Applicant shall, in case of transfer of results of research under regulation 6, pay to the NBA such monetary and/or non-monetary benefit, as agreed between the applicant and the NBA:

Provided that in case of monetary benefit received by him, if any, on such transfer, the applicant shall pay to the NBA 3.0 to 5.0% of the monetary consideration.

8. Procedure for obtaining Intellectual Property Rights (IPR) :

- (1) Any person who intends to obtain any intellectual property right by whatever name called, in or outside India, for any invention based on any research or information on any biological resources obtained from India, shall make an application to NBA in form III of the Biological Diversity Rules, 2004:

Provided that if the applicant is a person referred to under sub-section (2) of section 3 of the Act, he shall provide evidence of approval of NBA for access to the biological resources and/or associated knowledge used in the research leading to the invention:

Provided further that any person applying for any right under the Protection of Plant Varieties and Farmers' Rights Act, 2001 (53 of 2001) shall be exempted from this sub-regulation.

- (1) The NBA shall, on being satisfied with the application under sub-regulation (1), enter into a benefit sharing agreement with the applicant which shall be deemed as grant of approval for obtaining IPR.

9. Mode of benefit sharing in IPR :

- (1) The applicant shall, in case of commercializing the IPR obtained, pay to the NBA such monetary and/or non-monetary benefit, as agreed between the applicant and the NBA.
- (2) Where the applicant himself commercializes the process/product/ innovation, the monetary sharing shall be in the range of 0.2 to 1.0% based on sectoral approach, which shall be worked out on the annual gross ex-factory sale minus Government taxes.
- (3) Where the applicant assigns/licenses the process/product/innovation to a third party for commercialization, the applicant shall pay to NBA 3.0 to 5.0% of the fee received (in any form including the license/assignee fee) and 2.0 to 5.0% of the royalty amount received annually from the assignee I licensee, based on sectoral approach.

10. Obligations of applicant in the event of commercialisation of IPR :

- (1) An applicant, granted IPR, who is a citizen of India or a body corporate, association or organization which is registered in India and not having any non-Indian participation in its share capital or management, shall give prior intimation to the concerned SBB for access to biological resources, in the form prescribed by the SBB, and shall comply with such terms and conditions, if any, imposed by the SBB in the interest of promoting conservation and sustainable use.
- (2) An applicant, granted IPR, who is a person or a body corporate or an association or an organization referred to under sub-section (2) of section 3 of the Act shall apply in Form I of the Biological Diversity Rules, 2004 to the NBA for access to biological resources.

11. Procedure for transfer of accessed biological resource and/or associated knowledge to third party for research/commercial utilization :

- (1) Any person who intends to transfer the biological resources and/or associated knowledge which has been granted access under regulation 1 to a third party for research or for commercial utilization, shall apply to NBA in Form-IV of the Biological Diversity Rules, 2004 for transfer to such third party.
- (2) The NBA shall, on being satisfied with the application under sub-regulation (1), enter into a benefit sharing agreement with the applicant, which shall be deemed as grant of approval for transfer of accessed biological resource and/ or associated knowledge referred to in that sub-regulation.

12. Mode of benefit sharing for transfer of accessed biological resource and/ or associated knowledge to third party for research/ commercial utilization :

- (1) The applicant shall pay to the NBA such monetary and/or non-monetary benefit, as agreed between the applicant and the NBA.
- (2) Applicant (transferor) shall pay to the NBA 2.0 % to 5.0 % (following a sectoral approach) of any amount and/or royalty received from the transferee, as benefit sharing, throughout the term of the agreement.
- (3) In case the biological resource has high economic value, the applicant shall also pay to the NBA an upfront payment, as mutually agreed between the applicant and the NBA.

13. Conducting of non-commercial research or research for emergency purposes outside India by Indian researchers/ Government institutions :

- (1) Any Indian researcher/Government institution who intends to carry/ send the biological resources outside India to undertake basic research other than collaborative research referred to in section 5 of the Act shall apply to the NBA in Form 'B' annexed to these regulations.
- (2) Any Government Institution which intends to send biological resources to carry out certain urgent studies to avert emergencies like epidemics, etc., shall apply in Form 'B' annexed to these regulations.

- (3) The NBA shall, on being satisfied with the application under sub-regulation (1) or sub-regulation (2), accord its approval within a period of 45 days from the date of receipt of the application.
- (4) On receipt of approval of the NBA under sub-regulation (3), the applicant shall deposit voucher specimens in the designated national repositories before carrying or sending the biological resources outside India and a copy of proof of such deposits shall be endorsed to NBA.

14. Determination of Benefit Sharing :

- (1) Benefit sharing may be done in monetary and/or non-monetary modes, as agreed upon by the applicant and the NBA/SBB concerned in consultation in BMC/ benefit claimer etc. Options for such benefit sharing are provided in Annexure-1.
- (2) Determination of benefit sharing shall be based on considerations such as commercial utilization of the biological resource, stages of research and development, potential market for the outcome of research, amount of investment already made for research and development, nature of technology applied, time-lines and milestones from initiation of research to development of the product and risks involved in commercialization of the product:

Provided that special consideration may be given to cases where technologies/products are developed for controlling epidemics/diseases and for mitigating environmental pollution affecting human/ animal/plant health.

- (3) The amount of benefit sharing shall remain the same whether the end product contains one or more biological resources.
- (4) Where the biological resources of a product are sourced from the jurisdiction of two or more SBBs, the total amount of the accrued benefits shall be shared among them in proportion as decided by the NBA/SBBs concerned, as the case may be.

15. Sharing of benefits :

- (1) Where approval has been granted by the NBA for research or for commercial utilization or for transfer of results of research or for Intellectual Property Rights or for third party transfer, the mode of benefit sharing shall be as under:
 - (a) 5.0% of the accrued benefits shall go to the NBA, out of which half of the amount shall be retained by the NBA and the other half may be passed on to the concerned SBB for administrative charges.
 - (b) 95% of the accrued benefits shall go to concerned BMC(s) and/ or benefit claimers:

Provided that where the biological resource or knowledge is sourced from an individual or group of individuals or organizations, the amount received under this clause shall directly go to such individual or group of individuals or organizations, in accordance with the terms of any agreement and in such manner as may be deemed fit:

Provided further that where benefit claimers are not identified, such funds shall be used to support conservation and sustainable use of biological resources and to promote livelihoods of the local people from where the biological resources are accessed.

- (2) Where approval has been granted by State Biodiversity Board under these regulations:

The sharing of accrued benefits shall be as under: The SBB may retain a share, not exceeding 5% of the benefits accrued towards their administrative charges and the remaining share shall be passed on to the BMC concerned or to benefit claimers, where identified:

Provided that where any individual or group of individuals or organizations cannot be identified, such funds shall be used to support conservation and sustainable use of biological resources and to promote livelihoods of the local people from where the biological resources are accessed.

16. Processing of applications received by NBA :

- (1) Every application shall be complete in all respects, including all the enclosures referred thereto.
- (2) Incomplete applications devoid of any relevant information specifically sought, including ambiguous replies, incomplete disclosure, absence of proof, etc., shall be returned to the applicants.
- (3) The time limit specified for processing the applications shall commence only when the application complete in all respects including fee prescribed is received.
- (4) Any information specified in the application as confidential shall not be disclosed, either intentionally or unintentionally, to any person not concerned thereto.
- (5) While processing the application for access to any biological resource (including plants and/or animals and/or their parts or genetic material or derivatives), the NBA may consider the following factors, namely:

Whether the biological resource is :

- (i) Cultivated or domesticated or wild;
 - (ii) Rare or endemic or endangered or threatened species;
 - (iii) Accessed directly through the primary collectors living in natural habitat or obtained through intermediaries like traders;
 - (iv) Developed or maintained under ex-situ conditions;
 - (v) Of high value/ importance to livelihoods of local communities;
 - (vi) Restricted under the Act or any other law for time being in force;
 - (vii) Exempted under section 40 of the Act;
 - (viii) Included in crops listed under Annexure-I to the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) to which India is a contracting party;
 - (ix) Included in the Appendices of the Convention on international Trade on Endangered Species (CITES).
- (6) The NBA while taking any decision on the application relating to the use of biological resources and/or knowledge associated thereto may consult through the SBBs, the BMCs within whose jurisdiction the biological resources and/ or the knowledge occur.

- (7) The NBA shall reject the application requesting access to biological resources for the reasons specified under rule 16 of the Biological Diversity Rules, 2004.
- (8) On receipt of application, the NBA may make enquiries, as it may deem fit, and if necessary, may consult an expert committee constituted for this purpose.
- (9) The NBA may upon such enquiry and/or consultation referred to in sub-regulation (8), by order, grant approval or reject the application:

Provided that where the NBA has rejected such application, the reasons for such rejection shall be recorded in writing after giving an opportunity of being heard to the applicant.

- (10) Approval granted by the NBA shall be in the form of written agreement duly signed by an authorised officer of the NBA, the applicant and others as applicable:

Provided that the NBA may grant approval without a written agreement for the purposes of conducting of non-commercial research or research for emergency purposes outside India by Indian researchers/ Government institutions under regulation 13.

- (11) Based on any complaint or *suo moto*, the NBA may withdraw the approval granted for access and revoke the written agreement on the grounds specified under rule 15 of the Biological Diversity Rules, 2004:

Provided that a copy of the order of such revocation shall be issued to the concerned State Biodiversity Board and the Biodiversity Management Committees for the purposes of prohibition of access.

- (12) Where a request has been made by the applicant for withdrawal of his application or the applicant fails to respond to queries of the NBA within the stipulated time, the NBA shall close the applications or initiate action under these regulations as it deems appropriate:

Provided that if the applicant wishes to revive the application, he shall make a fresh application with the requisite fee.

Note: *Application forms for access to biological resources and/ or associated knowledge, guidelines for filling them and form of agreements are available in the NBA website: www.nbaindia.org.*

17. Certain activities or persons exempted from approval of NBA or SBB :

The following activities or persons shall not require approval of the NBA or SBB, namely:

- (a) Indian citizens or entities accessing biological resources and/ or associated knowledge, occurring in or obtained from India, for the purposes of research or bio-survey and bio-utilization for research in India;
- (b) collaborative research projects, involving the transfer or exchange of biological resources or related information, if such collaborative research projects have been approved by the concerned Ministry or Department of the State or Central Govt. and conform to the policy issued by the Central Govt. for such collaborative research projects.

- (c) local people and communities of the area, including growers and cultivators of biological resources, and vaidas and hakims, practicing indigenous medicine, except for obtaining intellectual property rights;
- (d) accessing biological resources for conventional breeding or traditional practices in use in any agriculture, horticulture, poultry, dairy farming, animal husbandry or bee keeping, in India;
- (e) publication of research papers or dissemination of knowledge, in any seminar or workshop, if such publication is in conformity with the guidelines issued by the Central Government from time to time;
- (f) accessing value added products, which are products containing portions or extracts of plants and animals in unrecognizable and physically inseparable form; and
- (g) biological resources, normally traded as commodities notified by the Central Government under section 40 of the Act.

[F.No. NBA/Tech/2/11]
HEM PANDE, Chairman

FORM A**(See regulation 2)**

Information to be furnished for use of biological resources by the applicant

(Self discloser)

Common Name of the biological resource proposed to be used :

Scientific Name :

Plants or animals or parts thereof traded :

Specific purpose of access :

Locations / source from where procured*	Quantity in Kgs	Rate per unit	State Biodiversity Board	Prospective Buyers/ Users (if known)

*List of local body/ BMCs, if already identified shall be attached.

Undertaking

- (1) I have read and understood the terms and conditions of ABS guidelines and I undertake to abide by relevant legal provisions applicable to biological resource.
- (2) I undertake to obtain the approval of the NBA/ SBB before making any change in the stated purpose.
- (3) I undertake to furnish/ share the relevant records with the NBA/ SBB, as and when required.
- (4) I further declare that the Information provided in the form is true and correct and I shall be liable for any incorrect/wrong information and wilful suppression of the facts.

Place:

Date:

*Signature & Name of the trader/ company/
manufacturer/ Authorized Representative*

Complete Address :

Phone number:

Email address:

Form-B

(See regulation 13)

Conducting of non-commercial research or research for emergency purposes outside India by Indian researchers/Government institutions using the biological resources

1	Name of the Applicant (Indian researcher/ Government Institution)	
2	Complete Address	
	a. Permanent	
	b. Present	
3	Name and address of Institution in India	
4	Name of the Supervisor or Head of Institution at the place of work in India	
5	Name and contact details of the Institution or organization who shall guide the proposed research / receiving the biological resources.	
6	Details of the Supervisor or Head of institution or organization who guides the proposed research or recipient of the biological resources	
7	Name of the funding agency supporting the proposed research	
8	Brief description of the research	
9	Details of biological resources proposed to be earned along or sent for the research i. Name of the biological resource (scientific / common name)	
	ii. Location of collection (Village/Taluk/Dist./State)	
	iii . Quantity required	
	iv. Duration of the research	
10	If it is for emergency purpose, specify details	

****Attach self-attested address/ ID proof such as Aadhaar card/ PAN card/ Passport, etc .***

Undertaking

I Son/Daughter/Wife/Husband of aged residing at holding a permanent I.D.No (PAN Card/ Aadhaar Card/ Passport, etc) hereby declare that all the information provided above is correct and true. I hereby affirm that the biological resources shall be used only for the purposes as stated in the application. I shall not share/provide/part/leave behind any biological resource at my collaborator's facility/ laboratory without approval of the NBA. I, along with my supervisor and collaborator, individually and severally declare that we shall not put to commercial utilization, nor shall seek any IPR claim on the biological resources and associated traditional knowledge used in this research/ collaboration. In case such a situation arises, we shall apply to National Biodiversity Authority to seek prior approval. Results, process (es), products or other outcomes arising out of this activity shall be shared with the NBA during and/ or upon completion of research intended along with the copy of relevant documents and publications.

Signature:

Date:

Place:

Declaration by the Supervisor I Head of Institution

I,working as.....in (Name of institution) confirm that the details provided by Mr/Dr/ Mrs/Ms..... are true and correct.

Date:

Place :

Signature:

Designation:

Official Seal:

Declaration by the Recipient I Collaborator

I,..... working as..... in (*Name of Institution / Organization*) hereby affirm that I or my institution / organization shall use the biological resources for the purposes as stated in the application and which were sent by..... (*Name of the institution*) or being brought by Mr/Dr/Mr/Ms The said biological resources shall be destroyed in full after the completion of the studies/partnership or upon completion of the studies the biological resources shall be sent back to the institution from where the biological resources were received as the case may be. I or the institution I am associated with shall not claim any ownership under instant application nor shall claim any IP Rights over the biological resources, derivatives or other such components without prior approval of the applicant, institution affiliated and the National Biodiversity Authority.

Signature:

Designation:

Official Seal:

Annexure-1

Fair and equitable benefit sharing options

The following options, either one or more, may be applied in accordance with mutually agreed terms between the applicant and the NBA, on a case by case basis, in accordance with the provisions of sub-rule (3) of rule 20 of the Biological Diversity Rules, 2004. These options are indicative in nature and other options, as approved by the NBA in consultation with the Central Government, may also be adopted:

(a) Monetary benefits options:

- (i) Up-front payment;
- (ii) One-time payment;
- (iii) Milestone payments;
- (iv) Share of the royalties and benefits accrued;
- (v) Share of the license fees;
- (vi) Contribution to National, State or Local Biodiversity Funds;
- (vii) Funding for research and development in India;
- (viii) Joint ventures with Indian institutions and companies;
- (ix) Joint ownership of relevant intellectual property rights.

(b) Non-monetary benefit & options:

- (i) Providing institutional capacity building, including training on sustainable use practices, creating infrastructure and undertaking development of work related to conservation and sustainable use of biological resources;
- (ii) Transfer of technology or sharing of research and development results with Indian institutions/individuals/entities;
- (iii) Strengthening of capacities for developing technologies and transfer of technology to India and/or collaborative research and development programmes with Indian institutions/ individuals/ entities;
- (iv) Contribution/ collaboration related to education and training in India on conservation and sustainable use of biological resources;
- (v) Location of production, research, and development units and measures for conservation and protection of species in the area from where biological resource has been accessed, contributions to the local economy and income generation for the local communities;
- (vi) Sharing of scientific information relevant to conservation and sustainable use of Biological diversity including biological inventories and taxonomic studies;

- (vii) Conducting research directed towards priority needs in India including food, health and livelihood security focusing on biological resources;
- (viii) Providing scholarships, bursaries and financial aid to Indian institutions/ individuals preferably to regions, tribes/ sects contributing to the delivery of biological resources and subsequent profitability if any;
- (ix) Setting up of venture capital fund for aiding the cause of benefit claimers;
- (x) Payment of monetary compensation and other non-monetary benefits to the benefit claimers as the NBA may deem fit.



भारत का राजपत्र

असाधारण

भाग 11-खण्ड 3-उप-खण्ड (i)

प्राधिकार से प्रकाशित

[सं० 6121] नई दिल्ली, शुक्रवार, नवम्बर 21, 2014/कार्तिक 30, 1936

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (राष्ट्रीय जैव विविधता प्राधिकरण)

अधिसूचना

सा.का.नि. 827 (अ)– राष्ट्रीय जैव विविधता प्राधिकरण, जैव विविधता अधिनियम, 2002 (2003 का 18) की धारा 18 की उपधारा (1) और धारा 21 की उपधारा (4) के सवाथ पठित धारा 64 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये और अनुवांशिक संसाधनों पर पहुँच और उनके से उद्भूत फायदों का, जु और साम्यपूर्ण विभाजन करने पर नागोया प्रोटोकॉल और जैव विविधता कन्वेंशन तारीख 29 अक्टूबर, 2010 के अनुसरण में निम्नलिखित विनियम बनाता है अर्थात्

संक्षिप्त नाम और प्रारम्भ:

- (1) इन नियमों का संक्षिप्त नाम जैविक संसाधनों तक पहुँच और सहयुक्त जानकारी तथा फायदा बंटाना विनियम, 2014 है।
- (2) ये राजपत्र में उनके अन्तिम प्रकाशन की तारीख में प्रवृत्त होंगे।

1. जैविक संसाधनों और/या सहयुक्त पारम्परिक जानकारी तक अनुसंधान या जैव सर्वेक्षण तक पहुँच की प्रक्रिया और अनुसंधान के लिए जैव उपयोग:

- (1) अधिनियम की धारा 3 की उपधारा (2) के अधीन निर्दिष्ट कोई व्यक्ति जो जैविक संसाधनों और/या सहयुक्त पारम्परिक जानकारी तक अनुसंधान या जैव सर्वेक्षण तक पहुँच की प्रक्रिया और अनुसंधान के लिए जैव उपयोग का आशय रखता है, राष्ट्रीय जैव विविधता प्राधिकरण (एनबीए) को जैव विविधता नियम, 2004 के प्रारूप-1 में भारत में उपगत होने वाले ऐसे से जैविक संसाधनों और जैविक संसाधनों और/या सहयुक्त जानकारी तक पहुँच अभिप्राप्त तक पहुँच अभिप्राप्त करने के लिए आवेदन करेगा।

- (2) एनबीए, उप-विनियम (1) के अधीन किसी आवेदन पर उसका समाधान हो जाने पर, आवेदक के साथ फायदा बंटाने का करार करेगा जिसे उस विनियम में निर्दिष्ट अनुसंधान के लिए, अनुमोदन प्रदान करना समझा जायेगा:

परन्तु जैविक संसाधनों की दशा में जिनका उच्च स्थानिक मूल्य है, तो करार फायदा को बंटाने के विषय में आवेदक द्वारा एक ऐसी रकम के अग्रिम संदाय के प्रभाव का खंड अंतर्विष्ट हो सकेगा, जो एनबीए और आवेदक के बीच सहमत हो।

(2) वाणिज्यिक उपयोग या जैव सर्वेक्षण के लिए जैविक संसाधनों तक पहुँच की प्रक्रिया और वाणिज्यिक उपयोग के लिए जैव उपयोग :

- (1) कोई व्यक्ति जो जैविक संसाधनों तक पहुँच का आशय रखता है, जिसके अन्तर्गत संयुक्त वन प्रबंधन समिति (जेएफएमसी) /वनवासी/जनजाति कृषक/ग्राम सभा द्वारा की जा रही फसल भी है, इन विनियमों में उपाबद्ध प्रारूप 'क' के साथ यथास्थिति जैव विविधता नियम, 2004 के प्रारूप 1 में एनबीए को या राज्य जैव विविधता बोर्ड (एसबीबी) को ऐसे प्रारूप में आवेदन करेगा जो एसबीबी द्वारा विहित किया जाए।
- (2) यथास्थिति, एनबीए या एसबीबी उप विनियम (1) के अधीन आवेदन से समाधान हो जाने पर आवेदक के साथ फायदा बंटाने का करार करेगा जिसे जैविक संसाधनों के वाणिज्यिक उपयोग के लिए या जैव सर्वेक्षण के लिए और उस उप-विनियम में निर्दिष्ट वाणिज्यिक उपयोग हेतु जैव उपयोग के लिए अनुमोदन समझा जायेगा।

3. वाणिज्यिक उपयोग के लिए या जैव सर्वेक्षण के लिए और वाणिज्यिक उपयोग हेतु जैव उपयोग के लिए जैविक संसाधनों तक पहुँच के लिए फायदा बंटाने का ढंग

- (1) जहाँ आवेदक/व्यापारी/विनिर्माता के संयुक्त वन प्रबंधन समिति (जेएफएमसी) /वनवासी/जनजाति कृषक/ग्राम सभा जैसे व्यक्तियों के साथ फायदा बंटाने के लिए पूर्व बातचीत नहीं की है और इन व्यक्तियों से सीधे जैविक संसाधन का क्रय करता है तो व्यापारी पर फायदा बंटाने की बाध्यता जैविक संसाधनों के क्रय मूल्य के 1.0 प्रतिशत से 3.0 प्रतिशत की रेंज में होगी और विनिर्माता पर फायदा बंटाने की बाध्यता जैविक संसाधनों के क्रय मूल्य के 3.0 प्रतिशत से 5.0 प्रतिशत की रेंज में होगी :

परन्तु व्यापारी द्वारा उसके द्वारा क्रय किये गये जैविक संसाधनों को किसी अन्य व्यापारी या विनिर्माता के विक्रय करने की दशा में, क्रेता पर फायदा बंटाने की बाध्यता यदि वह व्यापारी है तो क्रय मूल्य के 1.0 प्रतिशत से 3.0 प्रतिशत की रेंज में और यदि वह विनिर्माता है तो 3.0 प्रतिशत से 5.0 प्रतिशत की रेंज में होगी :

परन्तु यह और कि यदि क्रेता तुरन्त पश्चात्कर्ती विक्रेता के सथ आपूर्ति श्रृंखला में फायदा बंटाने का साक्ष्य प्रस्तुत करता है, तो क्रेता पर फायदा बंटाने की बाध्यता केवल उस क्रय मूल्य के भाग तक लागू होगी, जिसके लिये फादये की आपूर्ति श्रृंखला में बांटा नहीं गया है।

- (2) जहाँ आवेदक/व्यापारी/विनिर्माता ने संयुक्त वन प्रबंधन समिति (जेएफएमसी) /वनवासी/जनजाति कृषक/ग्राम सभा जैसे व्यक्तियों के साथ पूर्व फायदा बंटाने के लिये बातचीत की है और इन व्यक्तियों से सीधे जैविक संसाधन का क्रय करता है तो आवेदक पर फायदा बंटाने की बाध्यता उस दशा में जब क्रेता के विनिर्माता होने की दशा में ये 5.0 प्रतिशत से कम नहीं होगी।

- (3) ऐसे जैविक संसाधनों की दशा में जिनका उच्च आर्थिक मूल्य है जैसे चंदन लाल सैंडर्स आदि या उनके व्युत्पन्नों की दशा में, फायदा बंटाने में नीलामी या विक्रय की रकम से आगतों के 5 प्रतिशत से अन्यून का संदाया जैसा कि यथास्थिति एनबीए या एसबीबी द्वारा विनिश्चय किया जाये और बोली दाता या क्रय कर्ता अभिहित निधि में जैविक संसाधनों तक पहुँच से पूर्व रकम का संदाय करेगा।

4. विनियम 2 के अधीन वाणिज्यिक उपयोग के लिए पहुँच बनाये गये जैविक संसाधनों के विक्रय मूल्य के फायदे की बंटाने का विकल्प :

जब जैविक संसाधनों तक वाणिज्यिक उपयोग के लिए या जैव सर्वेक्षण के लिए पहुँच की जाती है और जैव उपयोग से वाणिज्यिक उपयोग होता है तो आवेदक के पास फायदा बंटाने का 0.1 प्रतिशत से 0.5 प्रतिशत की रेंज में उस उत्पाद की वार्षिक समग्र कारखाना पूर्व विक्रय की प्रतिशतता के निम्नलिखित ग्रेड में जिसकी गणना वार्षिक कारखाना पूर्व समग्र बिक्री को सरकारी करों से कम करके जैसा कि नीचे दिया गया है, विकल्प होगा।

उत्पाद का कारखाना पूर्व वार्षिक विक्रय	फायदा बंटाने वाले संघटक
1,00,00,000 रुपये तक	0.1 :
1,00,00,001 रुपये से 3,00,00,000 रुपये तक	0.2 :
3,00,00,000 रुपये से ऊपर	0.5 :

5. फीस का संग्रहण:

अधिनियम की धारा 41 की उपधारा (3) के अधीन किसी जैविक संसाधन तक वाणिज्यिक प्रयोजन के लिए पहुँच या संग्रहण के लिए उन क्षेत्रों से जो जैव विविधता प्रबंधन समिति (बीएमसी) के राज्यक्षेत्राधिकार में आते हैं, फीस का संग्रहण इन विनियमों के अधीन एनबीए/एसबीबी को फायदा बंटाने के अतिरिक्त होगा।

6. जैविक संसाधनों से सम्बंधित अनुसंधान के परिणामों को अन्तरित करने की प्रक्रिया:

- (1) धनीय प्रतिफल या अन्यथा के अधिनियम की धारा की उप-धारा (2) में निर्दिष्ट व्यक्तियों को भारत में उपगत होने वाले या भारत में अभिप्राप्त जैविक संसाधनों से सम्बंधित अनुसंधान के परिणामों को अन्तरित करने का आशय रखने वाला कोई व्यक्ति –
- (क) भारत में अभिप्राप्त जैविक संसाधनों से सम्बंधित अनुसंधान के परिणामों को किसी प्रयोजन के लिए अन्तरित करने के लिए जैविक विविधता नियम, 2004 के प्रारूप 2 में आवेदन करेगा।
- (ख) अनुसंधान में अन्तर्वर्तित जैविक संसाधन और/या सहयुक्त जानकारी तक पहुँच के लिए एनबीए के अनुमोदन का साक्ष्य प्रस्तुत करेगा :

परन्तु किसी आवेदक को, जो भारत का नागरिक है या निगमित निकाय, संगम या संगठन है जो भारत में रजिस्ट्रीकृत है और उसकी पूंजी या प्रबन्धन में किसी गैर भारतीय की कोई सहभागिता नहीं है, इस खंड के अधीन साक्ष्य देने की अपेक्षा लागू नहीं होगी।

(ग) आवेदक की जानकारी में अनुसंधान के परिणामों के सम्भावित वाणिज्यिक मूल्य की सम्पूर्ण जानकारी देगा।

(2) एनबीए उप-विनियम (1) के अधीन आवेदन से समाधान हो जाने पर, आवेदक के साथ एक फायदे बंटाने का करार करेगा जिसे उस विनियम में निर्दिष्ट अनुसंधान के परिणामों को अन्तरित करने का अनुमोदन समझा जायेगा।

7. अनुसंधान के परिणामों को अन्तरित करने के लिए फायदे बंटाने का ढंग:

आवेदक, विनियम 6 के अधीन अनुसंधान के परिणामों को अन्तरित करने की दशा में एनबीए को ऐसे धनीय और गैर धनीय फायदे का संदाय करेगा जैसी कि आवेदक और एनबीए के बीच समति हुई हो :

परन्तु उसके द्वारा धनीय फायदे की प्राप्ति पर, यदि कोई हो, ऐसे अन्तरण पर आवेदक एनबीए को धनीय विचारण का 3.0 प्रतिशत से 5.0 प्रतिशत तक का संदाय करेगा।

8. बौद्धिक संपदा अधिकार (आईपीआर) अभिप्राप्त करने की प्रक्रिया:

(1) कोई व्यक्ति जो किसी बौद्धिक संपदा अधिकार को भारत या भारत से बाहर अभिप्राप्त करने का आशय रखता है, चाहे किसी भी नाम से ज्ञात हो, किसी खोज के लिए जो किसी भारत में अभिप्राप्त अनुसंधान या किसी जैविक संसाधन पर किसी सूचना पर आधारित है, जैविक विविधता नियम, 2004 के प्रारूप 3 में एनबीए को आवेदन करेगा:

परन्तु यदि आवेदक अधिनियम की धारा 3 की उप-धारा (2) में निर्दिष्ट कोई व्यक्ति है, तो वह जैविक संसाधनों और/या सहयुक्त जानकारी के उपयोग, जो उसके अनुसंधान में उपयोग की गई है जिससे वह खोज हुई है, तक पहुँच के लिए एनबीए के अनुमोदन का साक्ष्य प्रस्तुत करेगा :

परन्तु यह और कि पौधा किस्म और कृषक अधिकार अधिनियम, 2001 (2001 का 53) के अधीन किसी अधिकार के लिए आवेदन करने वाले किसी व्यक्ति को इस उप-विनियम से छूट होगी।

(2) एनबीए उप विनियम (1) के अधीन आवेदन की प्राप्ति पर समाधान हो जाने पर आवेदक के साथ फायदा बंटाने का करार और इसे आईपीआर अभिप्राप्त करने का अनुमोदन माना जायेगा।

9. आईपीआर में हिस्सा बंटाने का ढंग:

(1) आवेदक अभिप्राप्त आईपीआर के वाणिज्यिकरण की दशा में एनबीए को ऐसा धनीय और/या गैर धनीय फायदे का संदाय करेगा जैसा कि आवेदक और एनबीए के बीच सहमति हो।

(2) जहाँ आवेदक स्वयं प्रक्रिया/उत्पाद/नई पद्धति को वाणिज्यिकरण करता है, धन सेक्टरल अप्रोच के आधार पर जिसकी गणना सरकारी करों को घटाकर वार्षिक समग्र कारखाना पूर्व विक्रय के आधार पर की जायेगी, 0.2 से 1.0 प्रतिशत की रेंज में बांटा जायेगा।

(3) जहाँ आवेदक प्रक्रिया को अनुज्ञप्त/उत्पाद/नई पद्धति की वाणिज्यिकरण के लिए तृतीय पक्षकार को समानुदेशित करता है (किसी भी रूप में जिसके अन्तर्गत अनुज्ञप्ति/समनुदेशन फीस है) आवेदक एनबीए को प्राप्त फीस का 3.0 प्रतिशत से 5.0 प्रतिशत और सेक्टरल अप्रोच के आधार पर समानुदेशन/अनुज्ञप्तिधारी से वार्षिक रूप से प्राप्त स्वामित्व की रकम का 2.0 प्रतिशत से 5.0 प्रतिशत के बीच संदाय करेगा।

10. आईपीआर के वाणिज्यिकरण की दशा में आवेदक की बाध्यतायें:

- (1) कोई आवेदक जिसे आईपीआर प्रदान किया गया है, जो भारत का नागरिक है या निगमित निकाय है, संगम या संगठन है जो भारत में रजिस्ट्रीकृत है और जिसकी शेयर पूंजी या प्रबंधन में किसी गैर भारतीय की सहभागिता नहीं है जैविक संसाधनों का पहुँच के लिए सम्बंधित एसबीबी को एसबीबी द्वारा विहित प्रारूप में पूर्व सूचना देगा और ऐसे शर्तों का अनुपालन करेगा, यदि कोई हो, जो एसएसबी द्वारा संरक्षण आरैर धारणीय उपयोग के हित में अधिरोपित की जाये।
- (2) कोई आवेदक जो अधिनियम की धारा 3 की उपधारा (2) में निर्दिष्ट व्यक्ति है, जिसे आईपीआर प्रदान किया गया है और जो निगमित निकाय या कोई संगम या कोई संगठन है, जैविक विविधता नियम, 2004 के प्रारूप में एनबीए को जैविक संसाधनों तक पहुँच के लिए आवेदन करेगा।

11. ऐसे जैविक संसाधनों जिन तक पहुँच की गई है और/या सहयुक्त जानकारी को अनुसंधान के लिए / वाणिज्यिक उपयोग के लिए तृतीय पक्षकार को अंतरित करने की प्रक्रिया—

- (1) कोई व्यक्ति जो जैविक संसाधनों को और/या सहयुक्त जानकारी को अंतरित करने का आशय रखता है जिसे विनियम 1 के अधीन तृतीय पक्षकार को अनुसंधान या वाणिज्यिक उपयोग के लिए पहुँच प्रदान की गई है, जैविक विविधता नियम, 2004 के प्रारूप 4 में एनबीए को ऐसे तृतीय पक्षकार को अंतरा के लिए आवेदन करेगा।
- (2) एनबीए उप विनियम (1) के अधीन आवेदन में समाधान हो जाने पर आवेदक हिस्सा बंटाने का करार करेगा जिसे पहुँच किये गये जैविक संसाधनों और/ या उस विनियम में निर्दिष्ट सहयुक्त जानकारी के अंतरा के लिए अनुमोदन प्रदान कराना समझा जायेगा।

12. जैविक संसाधनों जिन तक पहुँच की गई है और या सहयुक्त जानकारी को अनुसंधान/वाणिज्यिक उपयोग के लिए तीसरे पक्षकार को अंतरित करने का ढंग:

- (1) आवेदक एनबीए को ऐसे धन और या गैर धनीय फायदे को संदाय करेगा जैसा कि आवेदक और एनबीए के बीच सहमति हो।
- (2) आवेदक (अंतरक) एनबीए को किसी रकम/या अंतरिती में प्राप्त राजस्व का करार की संपूर्ण अवधि के दौरान फायदा बंटाने के रूप में 2.0 प्रतिशत से 5.0 प्रतिशत (सेक्टरल अप्रोच का अनुसरण करते हुये) का संदाय करेगा।
- (3) जैविक संसाधन का उच्च आर्थिक मूल्य होने की दशा में, आवेदक एनबीए को एक अग्रिम संदाय का भी जैसा कि आवेदक और एनबीए के बीच सहमति हो संदाया करेगा।

13. भारतीय अनुसंधानकर्ताओं/संस्थाओं द्वारा भारत से बाहर जैव वाणिज्यिक अनुसंधान करना या आपातकालीन प्रयोजनों के लिए अनुसंधान करना:

- (1) कोई भारतीय अनुसंधानकर्ता/सरकारी संस्था जो जैविक संसाधनों को अधिनियम की धारा 5 में निर्दिष्ट सहयोगी अनुसंधान से भिन्न आधारभूत अनुसंधान करने के लिए ले जाने/भेजन का आशय रखता है, एनबीए को इन विनियमों से उपाबद्ध प्रारूप 'ख' में आवेदन करेगा।

- (2) कोई सरकारी संस्था जो महामारी आदि से बचने के लिए कतिपय शीघ्र अध्ययन करने के लिए जैविक संसाधन भेजने का आशय रखता है, एनबीए को इन विनियमों से उपाबद्ध प्रारूप 'ख' में आवेदन करेगा।
- (3) एनबीए उप विनियम (1) या उप विनियम (2) के अधीन से समाधान हो जाने पर आवेदन की प्राप्ति की तारीख से पैंतालीस दिन के भीतर अपना अनुमोदन प्रदान करेगा।
- (4) उप विनियम (3) के अधीन एनबीए से अनुमोदन की प्राप्ति पर आवेदक भारत से बाहर जैविक संसाधनों को ले जाने/भेजने से पूर्व अभिहित राष्ट्रीय निक्षेपगार को वाउचर नमूने जमा करेगा और ऐसे जमा की प्रति सबूत के रूप में एनबीए को पृष्ठांकित किया जायेगा।

14. फायदा बंटाने का अवधारणः

- (1) धनीय और गैर धनीय ढंग से फायदा बंटाने जैसी कि आवेदक और एनबीए/सम्बंधित एसबीबी के बीच सहमति हो, बीएमसी/फायदे का दावा करने वाले आदि के बीच परामर्श में किया जा सकेगा। ऐसे फायदा बंटाने के लिए विकल्प उपाबध 1 में दिये गये है।
- (2) फायदा बंटाने का अवधारणा विचारणों पर आधारित होगा जैसा कि जैविक संसाधन का वाणिज्यिक उपयोग, अनुसंधान और विकास के प्रक्रम, अनुसंधान के परिणामके लिए सम्भावित बाजार अनुसंधान और विकास में उतने ही किये गये विनिधान की रकम उपयोग की गई प्रौद्योगिकी की प्रकृति अनुसंधान प्रारम्भ करने में उत्पाद के विकास तक समय और प्राप्त की गई उल्लेखनीय उपलब्धियां तथा उत्पाद के वाणिज्यिकरण में अंतर्वर्तित जोखिमः

परन्तु ऐसे मामलों पर विशेष ध्यान दिया जा सकेगा जहाँ प्रौद्योगिकियों/उत्पादों का विकास महामारियों/बीमारियों को नियंत्रित करने के लिए और मानव/प्राणी/पादप स्वास्थ्य को प्रभावित करने वाले पर्यावरणीय प्रदूषण को कम करने के लिए किया जाता है।

- (3) फायदा बंटाने की रकम समान रहेगी चाहे अंतिम उत्पाद में एक या अधिक जैविक संसाधन अनर्विष्ट है।
- (4) किसी उत्पाद के लिए दो या अधिक एसबीबी के क्षेत्राधिकार से प्राप्त जैविक संसाधनों की दशा में उदभूत फायदों की कुल रकम तो उनकी बीच एनबीए द्वारा यथा विनिश्चित समानुपात में बांटा जायेगा।

15. फायदों का बंटानाः

- (1) जहाँ एनबीए द्वारा अनुमोदन अनुसंधान या वाणिज्यिक उपयोग या अनुसंधान के परिणाम के अंतरण के लिए या बौद्धिक सम्पदा अधिकारों या तृतीय पक्षकार अंतरा के लिए प्रदान किया जाता है, हिस्सा बंटाने का ढंग नीचे दिये अनुसार होगा—
 - (क) उदभूत फायदों 5.0 प्रतिशत एनबीए को मिलेगा जिसमें से आधी रकम को एनबीए द्वारा प्रतिधारित किया जायेगा और शेष आधी रकम को प्रभासनिक प्रभारों के लिए सम्बंधित एसबीबी को दिया जा सकेगा।
 - (ख) उदभूत फायदों का 95 प्रतिशत सम्बंधित बीएमसी को और/या फायदे का दावा करने वालों को मिलेगा :

परन्तु जैविक संसाधन या जानकारी किसी व्यष्टि या व्यष्टियों के समूह या संगठन से प्राप्त करने की दशा में, इस खंड के अधीन रकम सीधे ऐसे व्यष्टि या व्यष्टियों के समूह या संगठनों को किसी करार के निबंधनों के अनुसार और ऐसी रीति में जो ठीक समझी जाये दी जायेगी।

परन्तु यह और कि जहाँ फायदे का दावा करने वालों की पहचान नहीं की गयी है, ऐसी निधि का उपयोग जैविक संसाधनों के संरक्षण और धारणीयता का उपयोग करने के लिए और उन स्थानीय व्यक्तियों के जीवन यापन का संबर्द्धन करने के लिए जहाँ संसाधन प्राप्त किये गये हैं, किया जायेगा।

(2) जहाँ अनुमोदन इन विनियमों के अधीन राज्य जैव विविधता बोर्ड द्वारा प्रदान किया गया है।

एसबीबी उद्भूत फायदों का 5 प्रतिशत से अनधिक भाग का प्रशासनिक प्रभारी के लिए प्रतिधारण कर सकेगा और शेष हिस्सा सम्बंधित बीएमसी या फायदे का दावा करने वालों को, जहाँ उनकी पहचान की गयी है, दे दिया जायेगा।

परन्तु यह कि जहाँ व्यष्टि या व्यष्टियों के समूह या संगठनों की पहचान नहीं की जा सकती है, ऐसी निधियों का उपयोग जैविक संसाधनों के संरक्षण और धारणीयता का उपयोग करने के लिए और उन स्थानीय व्यक्तियों के जीवन यापन का संबर्द्धन करने के लिए जहाँ संसाधन प्राप्त किये गये हैं, किया जायेगा।

16. एनबीए द्वारा प्राप्त आवेदनों को प्रक्रियागत करना:

- (1) प्रत्येक आवेदन उसमें निर्दिष्ट संलग्नकों सहित सभी परिप्रेक्ष्यों में पूर्ण होगी।
- (2) अपूर्ण आवेदन जिनमें कोई सूचना जो विशिष्ट रूप से चाही गयी है जिसके अन्तर्गत अस्पष्ट प्रत्युत्तर, अपूर्ण प्रकटन, साक्ष्य का अभाव आदि है, को आवेदकों को लौटा दिया जायेगा।
- (3) आवेदनों का प्रक्रियागत करने के लिए विनिर्दिष्ट समय सीमा केवल तब प्रारम्भ होगी जब आवेदन सभी परिप्रेक्ष्यों में जिसके अन्तर्गत विहित फीस का प्राप्त करना है, पूर्ण हों।
- (4) आवेदन में किसी सूचना, जिसे गोपनीय विनिर्दिष्ट किया गया है, का प्रकटन जान बूझकर या अनजाने में किसी व्यक्ति को जो उसमें सम्बंधित नहीं है, नहीं किया जायेगा।
- (5) एनबीए किसी जैविक संसाधन (जिसे अन्तर्गत पादप और/या प्राणी और/या उनके भाग या आनुवांशिक सामग्री या व्युत्पन्न है) तक पहुँच के लिए किसी आवेदन का प्रसंस्करण करने हुये, निम्नलिखित कारकों पर विचार कर सकेगा, अर्थात्:

क्या जैविक संसाधन की:

- (i) कृषि की गई है या पालतु या वन्य है;
- (ii) दुर्लभ या स्थानिक या संकटापन्न या जोखिम में प्रजाति है;
- (iii) पहुँच सीधे प्रारंभिक संग्राहक के माध्यम से की गई है जो प्राकृतिक पर्यवास में रह रहा है या उसे मध्यवर्तियों जैसे व्यापारियों के माध्यम से अभिप्राप्त किया गया है;
- (iv) विकास या अनुरक्षण पूर्व के आस-पास की परिस्थितियों के अधीन किया गया है;
- (v) स्थानीय समुदायों के जीवन यापन के लिए उच्च मूल्य/महत्ता है;
- (vi) अधिनियम या तत्समय प्रवृत्त किसी अन्य विधि के अधीन निर्बन्धित है;

- (vii) अधिनियम की धारा 40 के अधीन छूट प्राप्त है;
 - (viii) अन्तर्राष्ट्रीय खद्य और कृषि के लिए पादप अनुवांशिक संसाधन संधि (आईटीपीजीआरएफए) जिसमें भारत एक संविदाकारी पक्षकार है,के उपाबंध 1 के अधीन सूचीबद्ध फसलों में शामिल है;
 - (ix) संकटापन्न प्रजाति का अन्तर्राष्ट्रीय व्यापार पर कन्वेंशन के परिशिष्ट (सीआईटीईएस) में शामिल है।
- (6) एनबीए, जैविक संसाधनों और/या सहयुक्त जानकारी के उपयोग से सम्बंधित आवेदन पर कोई विनिश्चय करते एसमय एसबीबी, बीएमसी, जिनकी अधिकारिता के भीतर जैविक संसाधन और/या जानकारी उद्भूत होती है, से परामर्श कर सकेगी।
 - (7) एनबीए जैविक विविधता नियम, 2004 के नियम 16 के अधीन विनिर्दिष्ट कारणों से जैविक संसाधनों तक पहुँच के आवेदन को अस्वीकार कर सकेगा।
 - (8) किसी आवेदन की प्राप्ति पर एनबीए ऐसी जाँच कर सकेगा जैसा कि वह ठीक समझे और यदि आवश्यक हो तो वह इस प्रयोजन के लिए गठित विशेषज्ञ समिति से परामर्श कर सकेगा।
 - (9) एनबीए ऐसी जाँच और/या उप विनियम (8) में निर्दिष्ट परामर्श करने पर आदेश द्वारा अनुमोदन प्रदान कर सकेगा या आवेदन को अस्वीकार कर सकेगा :

परन्तु जहाँ एनबीए ने ऐसे आवेदन को अस्वीकार कर दिया है, ऐसे अस्वीकार करने के कारणों को आवेदक को सुने जाने का अवसर दिये जाने के पश्चात्, लेखबद्ध किया जायेगा।

- (10) एनबीए द्वारा किया गया अनुमोदन एनबीए को सम्यक रूप से प्राधिकृत अधिकारी, आवेदक और यथा लागू अन्य के बीच हस्ताक्षरित लिखित करार के रूप में होगा :

परन्तु एनबीए गैर वाणिज्यिक अनुसंधान करने या भारत से बाहर भारतीय अनुसंधानकर्ताओं/संस्थाओं द्वारा विनियम 13 के अधीन आपातकालीन प्रयोजनों के लिए अनुसंधान करने के लिए बिना किसी लिखित करार के अनुमोदन प्रदान कर सकेगा।

- (11) एनबीए किसी शिकायत के आधार पर या स्व प्रेरणा से पहुँच के लिए प्रदान किये गये, अनुमोदन को वापस ले सकेगा और जैविक विविधता नियम, 2004 के नियम 15 के अधीन विनिर्दिष्ट आधारों पर लिखित करार का प्रतिसंहरण कर सकेगा :

परन्तु ऐसे प्रतिसंहण के आदेश की प्रति सम्बंधित राज्य जैव विविधता बोर्ड को और जैव विविधता प्रबन्धन समितियों को पहुँच को प्रतिषिद्ध करने के प्रयोजन के लिए जारी की जायेगी।

- (12) जहाँ आवेदक द्वारा आवेदन को वापस लेने के लिए अनुरोध किया जाता है या आवेदक अनुबद्ध समय के भीतर एनबीए के प्रश्नों का प्रत्युत्तर देने में असफल रहता है, एनबीए आवेदनों को बन्द कर देगा या इस अधिनियम के अधीन जैसा वह उचित समझे कार्यवाही प्रारम्भ करेगा:

परन्तु यह कि यदि आवेदक आवेदन को पुनर्जीवित करना चाहता है तो वह अपेक्षित फीस के साथ नया आवेदन करेगा।

टिप्पणी: जैविक संसाधनों तक पहुँच या सहयुक्त जानकारी, मार्गदर्शन सिद्धांतों के लिए आवेदन फार्म और करार के फार्म एनबीए की वेबसाइट: www.nbaindia.org पर उपलब्ध है।

17. एनबीए या एसबीबी से छूट प्राप्त कतिपय कार्यकलाप या व्यक्ति:

निम्नलिखित कार्यकलाप या व्यक्तियों को एनबीए या एसबीबी के अनुमोदन की अपेक्षा नहीं होगी, अर्थात्:

- (क) जैविक संसाधनों और/या सहयुक्त जानकारी को जो भारत में उद्भूत हो रही है या भारत में अभिप्राप्त है, अनुसंधान या जैविक सर्वेक्षण और भारत में अनुसंधान के लिए जैव उपयोग के लिए पहुँच करते हुये भारतीय नागरिक या निकाय;
- (ख) सहयोगीकारी अनुसंधान परियोजनायें, जिनमें जैविक संसाधनों या सम्बंधित जानकारी का अन्तरण या विनिमय अन्तर्वर्तित है, यदि ऐसी सहयोगीकारी अनुसंधान परियोजनाओं की राज्य या केन्द्रीय सरकार के सम्बंधित मंत्रालय या विभाग द्वारा अनुमोदन किया गया है और वे ऐसी सहयोगी अनुसंधान परियोजनाओं को केन्द्रीय सरकार द्वारा जारी नीति मार्गदर्शन सिद्धांतों के अनुरूप है;
- (ग) क्षेत्र के स्थानीय लोग और समुदाय, जिनके अन्तर्गत जैविक संसाधनों को उगाने वाले और उनकी कृषि करने वाले सिवाय बौद्धिक सम्पदा अधिकार अभिप्राप्त करने के, तथा स्वदेशी औषधि का व्यवसाय करने वाले वैद्य और हकीम भी है;
- (घ) पारम्परिक प्रजनन या भारत में किसी कृषि, बागवानी, कुक्कुट पालन, दुग्ध उद्योग, पशु पालन या मधु मक्खी पालन के लिए पारम्परिक पद्धतियों का उपयोग;
- (ङ) अनुसंधान पेपरों का प्रकाशन या किसी सेमिनार या कार्यशाला में जानकारी का प्रसार यदि ऐसा प्रकाशन केन्द्रीय सरकार द्वारा समय-समय पर जारी मार्गदर्शक सिद्धांतों के अनुसार है;
- (च) मूल्यवर्धित उत्पाद, जो ऐसे उत्पाद हैं जिनमें पादपों और प्राणियों का निष्कर्षण पहचानी न जा सकने वाली और भौतिक रूप से अलग न किये जा सकने वाले रूप में है;
- (छ) जैविक संसाधनों जिनका साधारणतया व्यापार केन्द्रीय सरकार द्वारा अधिनियम की धारा 40 के अधीन अधिसूचित के रूप में होता है।

प्रारूप 'क'

(विनियम 2 देखिए)

आवेदक द्वारा जैविक संसाधनों के उपयोग के लिए प्रस्तुत की जाने वाली सूचना

(स्वतः प्रकटन)

उपयोग किये जाने के लिए प्रस्तावित :
जैविक संसाधन का सामान्य नाम

वैज्ञानिक नाम :

व्यापार किये जाने पादप या :
प्राणी या उनके भाग

पहुँच का विशिष्ट प्रयोजन :

अवस्थिति/जहाँ में उप्राप्त किये गये है	मात्रा किलो ग्राम में	दर प्रति इकाई	राज्य जैविक विविध ता बोर्ड	भावी क्रेता/उपयोगकर्ता (यदि ज्ञात हो)

स्थानीय निकाय/बीएमसी यदि पहले ही पहचान कर ली गई है तो सूची संलग्न करें

वचनबंध

- (1) मैंने एबीएस मार्गदर्शक सिद्धांतों के निबंधनों और शर्तों को पढ़ और समझ लिया है तथा मैं जैविक संसाधनों को लागू सुसंगम विविक उपबंधों का पालन करने का वचन देता हूँ।
- (2) मैं कथित प्रयोजन में कोई परिवर्तन करने से पूर्व एनबीए/एसबीबी का अनुमोदन अभिप्राप्त करने का वचन देता हूँ।
- (3) मैं एनबीए/एसबीबी का ससंगन अभिलेख प्रस्तुत करने/दिखाने का, जब भी अपेक्षा हो वचन देता हूँ।
- (4) मैं यह और घोषणा करता हूँ कि प्रारूप में दी गई सूचना सत्य और सही है तथा मैं किसी असत्य/गलत जानकारी और जानबूझकर तथ्यों को छिपाने के लिए उत्तरदायी होऊंगा।

स्थान

तारीख

हस्ताक्षर व्यापारी/कम्परी/विनिर्माता/प्राधिकृत
प्रतिनिधि का नाम व्यापारी/कम्पनी

विनिर्माता के पूरे के साथ:

फोन नं०:

ई-मेल का पता:

प्रारूप 'ख'
(देखिए विनियम 13)

भारतीय अनुसंधानकर्ताओं/संस्थाओं द्वारा जैविक संसाधनों का उपयोग करते हुये गैर वाणिज्यिक अनुसंधान या आपातकालीन प्रयोजनों के लिए अनुसंधान

1	आवेदक का नाम (भारतीय अनुसंधानकर्ता/संस्था)	
2	पूरा पता	
	क. स्थायी	
	ख. वर्तमान	
3	भारत में संस्थान का पता	
4	भारत में कार्य स्थल पर संस्था के पर्यवेक्षक या अध्यक्ष का नाम	
5	संस्थान या संगठन का नाम और संपर्क के ब्यौरे जो प्रस्तावित अनुसंधान का मार्गदर्शन करेगा/जो जैविक संसाधनों को प्राप्त करेगा।	
6	संस्थान या संगठन के पर्यवेक्षक के ब्यौरे जो प्रस्तावित अनुसंधान का मार्गदर्शन करेगा/जो जैविक संसाधनों को प्राप्त करेगा।	
7	प्रस्तावित अध्ययन की सहायता करने वाले वित्त पोषण अभिकरण का नाम	
8	अनुसंधान का संक्षिप्त विवरण	
9	अनुसंधान के लिए साथ ले जाये जाने वाले या भेजे जाने वाले प्रस्तावित जैविक संसाधनों के ब्यौरे	
	i. जैविक संसाधन का नाम (वैज्ञानिक/सामान्य नाम)	
	ii. संग्रहण की अवस्थिति	
	iii. अपेक्षित मात्रा	
	iv. अनुसंधान की अवधि	
10	यदि ये आपातकालीन प्रयोजन के लिये है तो ब्यौरे विनिर्दिष्ट करें।	

स्वयं द्वारा हस्ताक्षरित पते/पहचान के सबूत जैसे कि आधार कार्ड/पैन कार्ड/पासपोर्ट आदि संलग्न करें।

वचनबंध

मैंपुत्र/पुत्री/पत्नी/पतिआयु
 में निवास कर रहा हूँ, मैं स्थायी पहचान (पैन कार्ड/आधार कार्ड/
 पासपोर्ट आदि) का धारक हूँ, एतद् द्वारा घोषणा करता हूँ कि ऊपर दी गई सभी जानकारी सही और सत्य है।
 मैं एतद् द्वारा पुष्टि करता हूँ कि जैविक संसाधनों का उपयोग केवल आवेदन में कथित प्रयोजनों के लिए ही
 किया जायेगा। मैं किसी सहयोगकर्ता की प्रसुविधा/प्रयोगशाला में एनबीए का अनुमोदन प्राप्त किये बिना किसी
 जैविक संसाधन को नहीं बाटूंगा/उपलब्ध कराऊंगा/छोड़ूंगा/रहने दूंगा। मैं अपने पर्यवेक्षक और सहयोगकर्ता के
 साथ व्यक्ति रूप से और पृथक रूप से घोषणा करता हूँ कि न तो जैविक संसाधनों और सहयुक्त पारम्परिक
 जानकारी जिसका उपयोग अनुसंधान/सहयोग में किया गया है, का वाणिज्यिक उपयोग करूंगा न ही उस पर
 कोई आईपीआर दावा करूंगा। यदि ऐसी स्थिति उत्पन्न होती है तो हम पूर्वानुमोदन प्राप्त करने के लिए राष्ट्रीय
 जैव विविधता प्राधिकरण को आवेदन करेंगे। इस कार्यकलाप से उद्भूत परिणामों, प्रक्रियाओं, उत्पादों या अन्य
 नतीजों को हम अनुसंधान के दौरान और अनुसंधान के पूरा होने पर एनबीए के साथ सुसंगत दस्तावेजों और
 प्रकाशनों की प्रति के साथ बाटेंगे।

हस्ताक्षर:.....

तारीख:.....

स्थान:.....

संस्था के पर्यवेक्षक/अध्यक्ष द्वारा घोषणा

मैंके रूप में (संस्था का नाम) पुष्टि करता हूँ कि
श्री/डा./श्रीमती/सुश्री द्वारा दिये गये ब्यौरे
 सत्य और सही है।

तारीख

स्थान

हस्ताक्षर:.....

पदनाम:.....

कार्यालय की मुहर:.....

प्राप्तकर्ता/सहयोगकर्ता द्वारा घोषणा

मैं के रूप में में कार्यरत (संस्था/संगठन का नाम) पुष्टि करता हूँ कि मैं या मेरी संस्था/संगठन जैविक संसाधनों का उपयोग आवेदन में कथित प्रयोजनों के लिए ही करेंगे और जिसे द्वारा (संस्था का नाम भेजा गया है) या जिसे श्री/ड./श्रीमती/सुश्री द्वारा लाया गया है, यथास्थिति उक्त जैविक संसाधनों को उस अध्ययन/भागीदारी के पूरा होने के पश्चात् पूर्णतया नष्ट कर दिये जायेंगे या अध्ययन के पश्चात् जैविक संसाधनों को उस संस्था को जहाँ से जैविक संसाधन प्राप्त किये गये थे को वापस भेज दिया जायेगा। मैं या संस्था जिसके साथ मैं सहयुक्त हूँ त्वरित आवेदन के अधीन किसी स्वामित्व का कोई दावा नहीं करेंगे न ही जैविक संसाधनों/व्युत्पन्नियों या अन्य संघटकों पर आवेदक संस्था और राष्ट्रीय जैव विविधता प्राधिकरण के पूर्व अनुमोदन के बिना बौद्धिक सम्पदा अधिकार का दावा करेंगे।

हस्ताक्षर:.....

पदनाम:.....

कार्यालय की मुहर:.....

उपाबंध 1

उचित और साम्यापूर्ण फायदा बंटाने के विकल्प

निम्नलिखित विकल्पों को या तो एक या अधिक को आवेदक और एनबीए के बीच पारस्परिक रूप से सहमत निबंधनों के आधार पर मामला दर मामला के आधार पर जैव विविधता नियम, 2004 के नियम 20 के उप नियम (3) के उपबंधों के अनुसार लागू किया जा सकेगा। ये विकल्प उपदर्शन की प्रकृति के हैं और अन्य विकल्प जैसा कि एनबीए द्वारा केन्द्रीय सरकार के साथ परामर्श से अनुमोदित किये जाये, को भी अंगीकार किया जा सकता है:

(क) धनीय फायदे विकल्प:

- (i) अग्रिम संदाय;
- (ii) एक मुश्त संदाय;
- (iii) मुख्य उपलब्धियों पर संदाय;
- (iv) स्वामित्व और उद्भूत फायदों को बांटना;
- (v) अनुज्ञप्ति फीसों को बांटना;
- (vi) राष्ट्रीय, राज्य या स्थानीय जैव विविधता निधियों में अंशदान;
- (vii) भारत में अनुसंधान और विकास का वित्त पोषण;
- (viii) भारतीय संस्थाओं और कम्पनियों के साथ संयुक्त उद्यम;
- (ix) सुसंगत बौद्धिक संपदा अधिकारों का संयुक्त स्वामित्व;

(ख) गैर धनीय फायदों का विकल्प:

- (i) सांस्थानिक सक्षमता वर्धन का उपबंध करना जिसके अन्तर्गत धारणीय उपयोग पर प्रशिक्षण अवसंरचना का सृजन और जैविक संसाधनों के संरक्षण और धारणीयता से सम्बंधित विकास कार्य हाथ में लेना;
- (ii) प्रौद्योगिकी का अन्तरण या भारतीय संस्थाओं/व्यष्टिकों/निकायों के साथ अनुसंधान और विकास के परिणामों को बांटना;
- (iii) प्रौद्योगिकियों के विकास के लिए क्षमताओं का सुदृढीकरण और भारत को प्रौद्योगिकियों का अंतरण और/या भारतीय संस्थाओं/व्यष्टिकों/निकायों के साथ सहयोगकारी अनुसंधान और विकास कार्यक्रम;
- (iv) भारत में जैविक संसाधनों के संरक्षण और धारणीयता उपयोग पर शिक्षा और प्रशिक्षण से सम्बंधित अंशदान/सहयोग;
- (v) उत्पादन, अनुसंधान और विकास एककों की अवस्थिति और उस क्षेत्र में प्रजातियों के संरक्षण और परिरक्षण के लिए उपाय जहाँ जैविक संसाधनों तक पहुँच की गयी है, स्थानीय अर्थव्यवस्था में अंशदान और स्थानीय समुदाय के लिये आय सृजन;

- (vi) जैविक संसाधनों के संरक्षण आरैर भारतीय उपयोग जिसके अन्तर्गत जैविक सूचियां और वर्गीकरण से सुसंगत वैज्ञानिक जानकारी को बांटना भी है;
- (vii) भारत में पूर्वीकता आवश्यकताओं की ओर निर्देशित अनुसंधान का संचालन जिसके अन्तर्गत खाद्य, स्वास्थ्य और जैविक संसाधनों पर ध्यान केन्द्रित करते हुये जीवन यापन सुरक्षा भी है;
- (viii) अध्येता वृत्तियों, सहायता और वित्तीय सहायता का भारतीय संस्थाओं/व्यष्टियों को उन क्षेत्रों/जनजातियों/पंथों जो जैविक संसाधनों और पश्चातवर्ती लाभ, यदि कोई है के परिदान में योगदान कर रहे है, का उपबंध करना;
- (ix) फायदा दावाकर्ताओं को सहायता प्रदान करने के लिए जोखिम पूंजी निधि की स्थापना;
- (x) फायदे का दावा करने वालों को धनीय प्रतिकार और अन्य गैर धनीय फायदों का संदाया करना, जैसा कि एनबीए उपयुक्त समझे।



भारत का राजपत्र

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पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

अधिसूचना

नई दिल्ली, 7 अप्रैल, 2016

का.आ. 1352(अ).—केन्द्रीय सरकार, जैविक विविधता अधिनियम, 2002 (2003 का 18) की धारा 40 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और अधिसूचना सं; का.आ. 2726(अ), तारीख 26 अक्टूबर, 2009 को अधिकांश करते हुए, राष्ट्रीय जैव विविधता प्राधिकरण के परामर्श से यह घोषणा करती है कि इस अधिनियम के उपबंध नीचे सारणी के स्तंभ (3) में विनिर्दिष्ट जैविक संसाधनों को लागू नहीं होंगे जिनका पूर्वोक्त सारणी के स्तंभ (5) में यथा विनिर्दिष्ट पादप के भाग के साथ उक्त सारणी के स्तंभ (4) में यथा उल्लिखित व्याख्यात्मक व्यापारिक या सामान्य नाम है और जिनका पूर्वोक्त सारणी के स्तंभ (6) में यथा उल्लिखित स्रोत है, यदि उक्त जैविक संसाधनों का सामान्यतया उक्त सारणी के नीचे दिए गए टिप्पण में प्रगणित निबंधनों के अधीन रहते हुए वस्तुओं के रूप में व्यापार किया जाता है, अर्थात्:-

क्र. सं.	मद	जैविक संसाधन	व्याख्यात्मक व्यापार या सामान्य नाम	पादम भाग	श्रेत (कृषित=सी; वन्य डब्ल्यू कृषित+ वन्य =मिश्रित एम
1	2	3	4	5	6
	I. अनाज				
1.a		होर्डियम वुलगेर	जौ	बाली/दाना	सी
1.b		होर्डियम वुलगेर	जौ	सम्पूर्ण पौधा	सी
2.a		ओराइजा सटाइवा	धान	बाली/दाना	सी
2.b		ओराइजा सटाइवा	धान	सम्पूर्ण पौधा	सी
3.a		सिकल सिरेल	राई	बाली/दाना	सी
3.b		सिकल सिरेल	राई	सम्पूर्ण पौधा	सी
4.a		ट्रिटिकम एस्टीवम	गेंहू	बाली/दाना	सी

4.b		ट्रिटिकम एस्टीवम	गेंहू	सम्पूर्ण पौधा	सी
5.a		ट्रिटिकम ड्यूरम	मैकरोनी गेंहू	बाली/दाना	सी
5.b		ट्रिटिकम ड्यूरम	मैकरोनी गेंहू	सम्पूर्ण पौधा	सी
6.a		जिया मेस	मक्का	बाली/दाना	सी
6.b		जिया मेस	मक्का	सम्पूर्ण पौधा	सी
	II. बाजरा				
7.a		इकाइनोक्लोवा कोलोना	बड़ा बाजरा	बाली/दाना	सी
7.b		इकाइनोक्लोवा कोलोना	बड़ा बाजरा	सम्पूर्ण पौधा	सी
8.a		इल्यूसिन कोराकाना	रागी बाजरा	बाली/दाना	सी
8.b		इल्यूसिन कोराकाना	रागी बाजरा	सम्पूर्ण पौधा	सी
9.a		पैनिकम मिलियासियम	सामान्य बाजरा	बाली/दाना	सी
9.b		पैनिकम मिलियासियम	सामान्य बाजरा	सम्पूर्ण पौधा	सी
10.a		पैनिकम सुमात्रेन्स	छोटा बाजरा	बाली/दाना	सी
10.b		पैनिकम सुमात्रेन्स	छोटा बाजरा	सम्पूर्ण पौधा	सी
11.a		पैसपलम स्क्रोबिकुलेटम	कोडो बाजरा	बाली/दाना	सी
11.b		पैसपलम स्क्रोबिकुलेटम	कोडो बाजरा	सम्पूर्ण पौधा	सी
12.a		पेन्सिसिटम ग्लावकम	मोती बाजरा	बाली/दाना	सी
12.b		पेन्सिसिटम ग्लावकम	मोती बाजरा	सम्पूर्ण पौधा	सी
13.a		सिटेरिया इटेलिका	इटैलियन बाजरा	बाली/दाना	सी
13.b		सिटेरिया इटेलिका	इटैलियन बाजरा	सम्पूर्ण पौधा	सी
14.a		सोरघम बाइकोलर	ज्वार	बाली/दाना	सी
14.b		सोरघम बाइकोलर	ज्वार	सम्पूर्ण पौधा	सी
	III. दालें				
15.a		कैजेनस कैजन	अरहर	बीज	सी
15.b		कैजेनस कैजन	अरहर	फली	सी
16.a		सिसर एरिटिनम	बंगाल चना	बीज	सी
16.b		सिसर एरिटिनम	बंगाल चना	फली	सी
17.a		लबलब पुरपुरियस	लोबिया	बीज	सी
17.b		लबलब पुरपुरियस	लोबिया	फली	सी
18.a		लैथाइरस सटाइवस	खेसरी दाल	बीज	सी
18.b		लैथाइरस सटाइवस	खेसरी दाल	फली	सी
19.a		लेंस कुलिनेरिस	मसूर	बीज	सी
19.b		लेंस कुलिनेरिस	मसूर	फली	सी
20.a		मैक्रोटाइलोमा यूनिपलोरम	काला चना	बीज	सी
20.b		मैक्रोटाइलोमा यूनिपलोरम	काला चना	फली	सी
21.a		पाइसम सटाइवम प्रभेद अरवेन्से	मटर	बीज	सी
21.b		पाइसम सटाइवम प्रभेद अरवेन्से	मटर	फली	सी
22.a		विसिया क्रासा	लोबिया	बीज	सी
22.b		विसिया क्रासा	लोबिया	फली	सी

23.a		विसिया फाबा	लोबिया बड़ा	बीज	सी
23.b		विसिया फाबा	लोबिया बड़ा	फली	सी
24.a		विसिया सटाईवा	खेसरी दाल	बीज	सी
24.b		विसिया सटाईवा	खेसरी दाल	फली	सी
25.a		विग्ना एकोनिटिफोलिया	मूंग	बीज	सी
25.b		विग्ना एकोनिटिफोलिया	मूंग	फली	सी
26.a		विग्ना एन्गुलेरिस	लाल लोबिया	बीज	सी
26.b		विग्ना एन्गुलेरिस	लाल लोबिया	फली	सी
27.a		विग्ना मूंगो	मूंग काली	बीज	सी
27.b		विग्ना मूंगो	मूंग काली	फली	सी
28.a		विग्ना रेडियाटा	मूंग हरी	बीज	सी
28.b		विग्ना रेडियाटा	मूंग हरी	फली	सी
29.a		विग्ना अम्बेलाटा	चावल मूंग	बीज	सी
29.b		विग्ना अम्बेलाटा	चावल मूंग	फली	सी
		IV. तैलीय बीज			
30.a		अरेकिस हाइपोजिया	मूंगफली	बीज	सी
30.b		अरेकिस हाइपोजिया	मूंगफली	फली	सी
31.a		ब्रेसिका कम्पेस्ट्रीस प्रभेद पीली सरसों	पीली सरसों	बीज	सी
31.b		ब्रेसिका कम्पेस्ट्रीस प्रभेद पीली सरसों	पीली सरसों	फली	सी
32.a		ब्रेसिका कम्पेस्ट्रीस प्रभेद भूरी सरसों	भूरी सरसों	बीज	सी
32.b		ब्रेसिका कम्पेस्ट्रीस प्रभेद भूरी सरसों	भूरी सरसों	फली	सी
33.a		ब्रेसिका जन्सिया	सरसों काली	बीज	सी
33.b		ब्रेसिका जन्सिया	सरसों काली	फली	सी
34.a		ब्रेसिका नेपस	सरसों	बीज	सी
34.b		ब्रेसिका नेपस	सरसों	फली	सी
35.a		ब्रेसिका रापा	सरसों	बीज	सी
35.b		ब्रेसिका रापा	सरसों	फली	सी
36.		कारथेमस टिक्टोरियस	कुसुम	बीज	सी
37.a		इरुका सटाईवा उपजाति सटाईवा	तारामीरा	फली	सी
37.b		इरुका सटाईवा उपजाति सटाईवा	तारामीरा	बीज	सी
38.a		ग्लाइसिन मैक्स	सोयाबीन	फली	सी
38.b		ग्लाइसिन मैक्स	सोयाबीन	बीज	सी
39.		ग्यूजाटिया एबायस्सीनिका	नीगर	फली	सी
40.a		हेलिऐन्थस एन्नस	सूर्यमुखी	बीज	सी
40.b		हेलिऐन्थस एन्नस	सूर्यमुखी	फली	सी
41.a		लाइनम यूसिटाटिस्सीमम	अलसी	बीज	सी

41.b		लाइनम यूसिटाटिस्सीमम	अलसी	फली	सी
42.a		रिसिनस कोम्मूनिंस	अरंडी	बीज	सी
42.b		रिसिनस कोम्मूनिंस	अरंडी	फली	सी
43.a		सिसेमम इंडिकम	तिल	बीज	सी
43.b		सिसेमम इंडिकम	तिल	फली	सी
	V. रेशा प्रदत्त फसलें				
44.a		कोरकोरस कैप्सूलेरिस	सफेद जूट	बीज	सी
44.b		कोरकोरस कैप्सूलेरिस	सफेद जूट	सम्पूर्ण पौधा	सी
44.c		कोरकोरस कैप्सूलेरिस	सफेद जूट	फाइबर	सी
44.d		कोरकोरस कैप्सूलेरिस	सफेद जूट	तना	सी
45.a		कोरकोरस ऑलिटोरियस	टोसा जूट	बीज	सी
45.b		कोरकोरस ऑलिटोरियस	टोसा जूट	सम्पूर्ण पौधा	सी
45.c		कोरकोरस ऑलिटोरियस	टोसा जूट	फाइबर	सी
45.d		कोरकोरस ऑलिटोरियस	टोसा जूट	तना	सी
46.a		गोसिपियम अरबोरियम	वृक्ष कपास	फाइबर	सी
46.b		गोसिपियम अरबोरियम	वृक्ष कपास	बीजावरण	सी
47.a		गोसिपियम बारबाडेन्से	कपास	फाइबर	सी
47.b		गोसिपियम बारबाडेन्से	कपास	बीजावरण	सी
47.c		गोसिपियम बारबाडेन्से	कपास	सम्पूर्ण पौधा	सी
48.a		गोसिपियम हरबेसियम	कपास	फाइबर	सी
48.b		गोसिपियम हरबेसियम	कपास	बीजावरण	सी
48.c		गोसिपियम हरबेसियम	कपास	सम्पूर्ण पौधा	सी
49.a		गोसिपियम हिरसूटम	कपास	फाइबर	सी
49.b		गोसिपियम हिरसूटम	कपास	बीजावरण	सी
49.c		गोसिपियम हिरसूटम	कपास	सम्पूर्ण पौधा	सी
50.a		हिबिस्कस सबदरिपफा	लाल बैत	तना	सी
50.b		हिबिस्कस सबदरिपफा	लाल बैत	फाइबर	सी
50.c		हिबिस्कस सबदरिपफा	लाल बैत	सम्पूर्ण पौधा	सी
50.d		हिबिस्कस सबदरिपफा	लाल बैत	बीज	सी
	V. चारा फसलें				
51.a		एविना सटाईवा	जई	सम्पूर्ण पौधा	सी
51.b		एविना सटाईवा	जई	बाली	सी
52.a		सेन्क्रस सिलिएरिस	बूफेल घास	सम्पूर्ण पौधा	सी
52.b		सेन्क्रस सिलिएरिस	बूफेल घास	बाली	सी
53.a		सेन्क्रस सेटिजेरस	बर्डवुड घास	सम्पूर्ण पौधा	सी
53.b		सेन्क्रस सेटिजेरस	बर्डवुड घास	बाली	सी
54.a		क्राइसोपोगोन फल्वस	दाराफ घास	सम्पूर्ण पौधा	सी
54.b		क्राइसोपोगोन फल्वस	दाराफ घास	बाली	सी
55.a		डाईकैथियम एन्नुलेटम	मारवेल घास	सम्पूर्ण पौधा	सी

55.b		डाईकैन्थियम एन्नुलेटम	मारवेल घास	बाली	सी
56.a		यूकैलेयना मैक्सिकाना	टियोसिंटे	सम्पूर्ण पौधा	सी
56.b		यूकैलेयना मैक्सिकाना	टियोसिंटे	बाली	सी
57.a		फैगोपायरम एस्कुलेनटम	मोथी अनाज	सम्पूर्ण पौधा	सी
57.b		फैगोपायरम एस्कुलेनटम	मोथी अनाज	बीज	सी
58.a		फिस्टुका जाति	फिस्टुका	सम्पूर्ण पौधा	सी
58.b		फिस्टुका जाति	फिस्टुका	बीज	सी
59.a		मेडिकागो सटाईवा	लूसिरिन (घास)	सम्पूर्ण पौधा	सी
59.b		मेडिकागो सटाईवा	लूसिरिन (घास)	बीज	सी
59.c		मेडिकागो सटाईवा	लूसिरिन (घास)	फली	सी
60.a		मेलिलोटस इंडिकस	मीठी लॉग	सम्पूर्ण पौधा	सी
60.b		मेलिलोटस इंडिकस	मीठी लॉग	बीज	सी
60.c		मेलिलोटस इंडिकस	मीठी लॉग	फली	सी
61.a		पैनिकम मैक्सिमम	ग्वेना घास	सम्पूर्ण पौधा	सी
61.b		पैनिकम मैक्सिमम	ग्वेना घास	बाली	सी
62.a		पेन्सिटम पेडिसिलेटम	दिनानाथ घास	सम्पूर्ण पौधा	सी
62.b		पेन्सिटम पेडिसिलेटम	दिनानाथ घास	बाली	सी
63.a		पेन्सिटम पुरपुरियम	नेपियर घास	सम्पूर्ण पौधा	सी
63.b		पेन्सिटम पुरपुरियम	नेपियर घास	बाली	सी
64.		सिटेरिया स्फ्रेसिलाटा	गोन्डन ब्रिस्टल घास	सम्पूर्ण पौधा	सी
65.a		सोरघम बाईकोलर उपजाति ड्रमोन्डाई	सूडान घास	सम्पूर्ण पौधा	सी
65.b		सोरघम बाईकोलर उपजाति ड्रमोन्डाई	सूडान घास	बाली	सी
66.a		स्टाईलोजेन्थस गुयानेन्सिस	स्टाईलो	सम्पूर्ण पौधा	सी
66.b		स्टाईलोजेन्थस गुयानेन्सिस	स्टाईलो	बाली	सी
67.a		ट्राईफोलियम एलक्सेन्ड्रियम	इजीपीयन लॉग	सम्पूर्ण पौधा	सी
67.b		ट्राईफोलियम एलक्सेन्ड्रियम	इजीपीयन लॉग	बाली	सी
	VII. हरी खाद प्रदत्त पौधे				
68.a		क्रोटोलेरिया जंसिया	पटसन	सम्पूर्ण पौधा	सी
68.b		क्रोटोलेरिया जंसिया	पटसन	बीज	सी
69.a		हिबिस्कस कैन्नाबिनस	भांग	सम्पूर्ण पौधा	सी
69.b		हिबिस्कस कैन्नाबिनस	भांग	बीज	सी
70.a		सेसबानिया एक्यूलियाटा	ढैचा	सम्पूर्ण पौधा	सी
70.b		सेसबानिया एक्यूलियाटा	ढैचा	बीज	सी
70.c		सेसबानिया एक्यूलियाटा	ढैचा	फली	सी
	VIII. शक्कर प्रदत्त फसलें				
71.a		सैकरम ऑफिसिनारम	गन्ना	तना	सी

71.b		सैकेरम ऑफिसिनारम	गन्ना	सम्पूर्ण पौधा	सी
	IX. मादक औषधी				
72.a		निकोटियाना तबाकम	तम्बाकू	पत्तियाँ	सी
72.b		निकोटियाना तबाकम	तम्बाकू	पत्तियाँ	सी
	X. सीताफल कुल के पौधे				
73.a		बेनिन्कासा हिस्पीडा	सफेद लौकी	पत्तियाँ	सी
73.b		बेनिन्कासा हिस्पीडा	सफेद लौकी	फल	सी
73.c		बेनिन्कासा हिस्पीडा	सफेद लौकी	पुष्प	सी
74.a		सिट्‌रुल्लस लानाटस	तरबूज	फल	सी
74.b		सिट्‌रुल्लस लानाटस	तरबूज	रिड	सी
75.a		कोक्सीनिया ग्रैन्डिस	घीया लौकी	जड़	सी
75.b		कोक्सीनिया ग्रैन्डिस	घीया लौकी	फल	सी
76.a		कुकुमिस कैल्लोसस	खीरा	फल	सी
76.b		कुकुमिस कैल्लोसस	खीरा	बीज	सी
77.a		कुकुमिस मेलो	खरबूजा	फल	सी
77.b		कुकुमिस मेलो	खरबूजा	बीज	सी
78.		कुकुमिस मेलो प्रभेद मोमोर्डिका	खरबूजा	फल	सी
79.a		कुकुमिस मेलो प्रभेद यूटिलिस्सीमस	ककड़ी	जड़ ट्यूबर	सी
79.b		कुकुमिस मेलो प्रभेद यूटिलिस्सीमस	ककड़ी	फल	सी
80.a		कुकुमिस सटाईवस	खीरा	फल	सी
80.b		कुकुमिस सटाईवस	खीरा	जड़ ट्यूबर	सी
81.		कुकुरबिटा मैक्सीमा	सीताफल	फल	सी
82.a		कुकुरबिटा मोस्काटा	सीताफल	पुष्प	सी
82.b		कुकुरबिटा मोस्काटा	सीताफल	तना	सी
82.c		कुकुरबिटा मोस्काटा	सीताफल	फल	सी
83.a		कुकुरबिटा पेपो	पीला सीताफल	फल	सी
83.b		कुकुरबिटा पेपो	पीला सीताफल	पुष्प	सी
83.c		कुकुरबिटा पेपो	पीला सीताफल	पत्तियाँ	सी
83.d		कुकुरबिटा पेपो	पीला सीताफल	बीज	सी
84.		लेजिनेरिया सिसेरेरिया	लौकी	फल	सी
85.a		लूफा एक्वटेन्गुला	तोरी	जड़	सी
85.b		लूफा एक्वटेन्गुला	तोरी	फल	सी
86.a		लूफा सिलेन्ड्रिका	तोरी	फल	सी
86.b		लूफा सिलेन्ड्रिका	तोरी	बीज	सी
87.a		मोमोर्डिका करेन्सिया	करेला	फल	सी
87.b		मोमोर्डिका करेन्सिया	करेला	बीज	सी
87.c		मोमोर्डिका करेन्सिया	करेला	जड़	सी
88.a		प्रेसिट्‌रुल्लस फिस्टोलोस्स	टिंडा	फल	सी

88.b		प्रेसिट्रुलस फिस्टोलोस्स	टिंडा	जड़	सी
88.c		प्रेसिट्रुलस फिस्टोलोस्स	टिंडा	बीज	सी
89.a		सेसियम इड्यूले	क्वास	फल	सी
89.b		सेसियम इड्यूले	क्वास	ट्यूबर	सी
89.c		सेसियम इड्यूले	क्वास	पत्तियाँ	सी
90.a		ट्राइकोसेन्थीस कुकुमेरिना	चचिण्डा	पत्तियाँ	सी
90.b		ट्राइकोसेन्थीस कुकुमेरिना	चचिण्डा	तना	सी
90.c		ट्राइकोसेन्थीस कुकुमेरिना	चचिण्डा	बीज	सी
90.d		ट्राइकोसेन्थीस कुकुमेरिना	चचिण्डा	ट्यूबर	सी
90.e		ट्राइकोसेन्थीस कुकुमेरिना	चचिण्डा	फल	सी
91.a		ट्राइकोसेन्थीस डायोका	परवल	जड़	सी
91.b		ट्राइकोसेन्थीस डायोका	परवल	फल	सी
	XI. गोभी कुल की फसलें				
92.a		ब्रेसिका रापा उपजाति चाइनेन्सिस	गोभी	पत्ती	सी
92.b		ब्रेसिका रापा उपजाति चाइनेन्सिस	गोभी	सम्पूर्ण पौधा	सी
93.a		ब्रेसिका रापा उपजाति पेकिनेन्सिस	गोभी	पत्तियाँ	सी
93.b		ब्रेसिका रापा उपजाति पेकिनेन्सिस	गोभी	सम्पूर्ण पौधा	सी
	XII. हरी पत्तेदार सब्जियाँ				
94.		एबेलमोस्कस एस्क्युलेन्टस	भिंडी/ओकरा	फल	सी
95.		लियम एम्पीलोप्रेसम	लीक	सम्पूर्ण पौधा	सी
96.a		एमारेन्थस ब्लार्डटम	चौलाई	पत्तियाँ	सी
96.b		एमारेन्थस ब्लार्डटम	चौलाई	सम्पूर्ण पौधा	सी
97.a		एमारेन्थस क्रुएन्टस	चौलाई	बाली	सी
97.b		एमारेन्थस क्रुएन्टस	चौलाई	पत्तियाँ	सी
98.a		एमारेन्थस ट्राइकलर	चौलाई लाल	पत्तियाँ	सी
98.b		एमारेन्थस ट्राइकलर	चौलाई लाल	सम्पूर्ण पौधा	सी
99.a		एपियम ग्रेवियोलेन्स प्रभेद डूल्स	सिलेरी	पत्तियाँ	सी
99.b		एपियम ग्रेवियोलेन्स प्रभेद डूल्स	सिलेरी	सम्पूर्ण पौधा	सी
100.a		एस्परेगस ऑफिसिनेलिस	शतावर	तना	सी
100.b		एस्परेगस ऑफिसिनेलिस	शतावर	सम्पूर्ण पौधा	सी
101.a		बिटा वुलगेरिस	चुकन्दर	जड़	सी
101.b		बिटा वुलगेरिस	चुकन्दर	पत्तियाँ	सी
102.a		बिटा वुलगेरिस प्रभेद बेन्गालेन्सिस	समुद्री चुकन्दर	पत्तियाँ	सी
102.b		बिटा वुलगेरिस प्रभेद बेन्गालेन्सिस	समुद्री चुकन्दर	पुष्प	सी
102.c		बिटा वुलगेरिस प्रभेद बेन्गालेन्सिस	समुद्री चुकन्दर	जड़	सी

103.a		बिटा वुलगेरिस प्रभेद फ्लेविसेन्स	पालक चुकन्दर	पत्तियाँ	सी
103.b		बिटा वुलगेरिस प्रभेद फ्लेविसेन्स	पालक चुकन्दर	सम्पूर्ण पौधा	सी
104.		ब्रेसिका ऑल्लिरेसिया प्रभेद बोट्राटिस	फूलगोभी	पुष्प कलिका	सी
105.		ब्रेसिका ऑल्लिरेसिया प्रभेद कैपिताटा	बंदगोभी	पत्तियाँ	सी
106.a		ब्रेसिका ऑल्लिरेसिया प्रभेद जेम्मिफेरा	गांठगोभी	पत्तियाँ	सी
106.b		ब्रेसिका ऑल्लिरेसिया प्रभेदजेम्मिफेरा	गांठगोभी	कलिका	सी
107.a		ब्रेसिका ऑल्लिरेसिया प्रभेद गोन्गायलोडिस	कोल्काबी	ट्यूबर तना	सी
107.b		ब्रेसिका ऑल्लिरेसिया प्रभेद गोन्गायलोडिस	कोल्काबी	पत्तियाँ	सी
108.a		ब्रेसिका ऑल्लिरेसिया प्रभेद इटेलिका	ब्रोकली	पुष्प कलिका	सी
108.b		ब्रेसिका ऑल्लिरेसिया प्रभेद इटेलिका	ब्रोकली	बीज फली	सी
109.a		सायमोप्सीस ट्रेटागोनोलोबा	ग्वार लोबिया	फली	सी
109.b		सायमोप्सीस ट्रेटागोनोलोबा	ग्वार लोबिया	बीज	सी
110.		सायनारा कार्दूचुलस प्रभेद स्कोलायमस	जंगली चुकंदर	सम्पूर्ण पौधा	सी
111.a		डाउकस कैरोटा	जंगली गाजर	जड़	सी
111.b		डाउकस कैरोटा	जंगली गाजर	पुष्प	सी
112.a		लबलब पुरपुरियेस (समरूप डोलिकस लबलब)	सेम	फली	सी
112.b		लबलब पुरपुरियेस (समरूप डोलिकस लबलब)	सेम	बीज	सी
113.a		लेक्टूका सटार्इवा	पालक	पत्तियाँ	सी
113.b		लेक्टूका सटार्इवा	पालक	बीज	सी
114.		लाइकोपरसिकोन एस्कुलेन्टस	टमाटर	फल	सी
115.a		मोरिन्गा ऑलिफेरा	सहजनी	फल	सी
115.b		मोरिन्गा ऑलिफेरा	सहजनी	पत्तियाँ	सी
115.c		मोरिन्गा ऑलिफेरा	सहजनी	बीज	सी
115.d		मोरिन्गा ऑलिफेरा	सहजनी	जड़	सी
116.a		पेट्रोसेलिनम क्रिस्पम	अजवायन	पत्तियाँ	सी
116.b		पेट्रोसेलिनम क्रिस्पम	अजवायन	जड़	सी
116.c		पेट्रोसेलिनम क्रिस्पम	अजवायन	बीज	सी
117.a		फेसियोलस वुलगेरिस	राजमा	पत्तियाँ	सी
117.b		फेसियोलस वुलगेरिस	राजमा	फली	सी
117.c		फेसियोलस वुलगेरिस	राजमा	बीज	सी
118.a		पाइसम सटार्इवम	मटर	फली	सी
118.b		पाइसम सटार्इवम	मटर	बीज	सी
119.a		रेफेनस सटार्इवूस	मूली	पत्तियाँ	सी
119.b		रेफेनस सटार्इवूस	मूली	बीज	सी

119.c		रेफेनस सटाईवूस	मूली	जड़	सी
120.a		सेसबानिया ग्रैन्डिफलोरा	अगाती	पुष्प	सी
120.b		सेसबानिया ग्रैन्डिफलोरा	अगाती	फली	सी
121.		सोलेनम मिलोन्जीना	बैंगन	फल	सी
122.		स्पीनासिया ऑलिरेसिया	पालक	पत्तियाँ	सी
123.a		ट्राइगोनेल्ला कार्निकुलाटा	मेथी	बीज	सी
123.b		ट्राइगोनेल्ला कार्निकुलाटा	मेथी	सम्पूर्ण पौधा	सी
124.a		विग्ना उन्गुईकोलाटा	लोबिया	पत्तियाँ	सी
124.b		विग्ना उन्गुईकोलाटा	लोबिया	बीज	सी
124.c		विग्ना उन्गुईकोलाटा	लोबिया	फली	सी
	XIII. सरसों कुल की सब्जियाँ				
125.a		रेफेनस कॉउडेटस	मूली	फली	सी
125.b		रेफेनस कॉउडेटस	मूली	बीज	सी
	XIV. कंद फसलें				
126.a		एलियम सेपा प्रमेद एग्रिगेटम	प्याज	बल्ब / कंद	सी
126.b		एलियम सेपा प्रमेद एग्रिगेटम	प्याज	बल्ब / कंद	सी
	XV. द्यूबर, राइजोम्स एवं पीथ				
127.		एलियम सेपा	प्याज	बल्ब / कंद	सी
128.		एनियम सटाईवम	लहसुन	बल्ब / कंद	सी
129.		एमोरफोफेल्लस पियोनिफोलियस	जिमीकंद	जड़	सी
130.a		अरमोरेसिया रस्टीसियाना	मूली	द्यूबर	सी
130.b		अरमोरेसिया रस्टीसियाना	मूली	सम्पूर्ण द्यूबर	सी
131.a		कोलोकेशिया एस्कुलेन्टा	अरबी	पत्ती	सी
131.b		कोलोकेशिया एस्कुलेन्टा	अरबी	राइजोम	सी
132.		डायोस्कोरिया अलाटा	अरारोट	द्यूबर	सी
133.		डायोस्कोरिया कायनेन्सिस उपजाति रोटून्डा	ग्वेना कंद	द्यूबर	सी
134.		डायोस्कोरिया एस्कुलेन्टा	लेस्सर कंद	द्यूबर	सी
135.		आइपोमिया बटाटस	शकरकंद	द्यूबर जड़	सी
136.a		मनिहोट एस्कुलेन्टा	कसावा	द्यूबर जड़	सी
136.b		मनिहोट एस्कुलेन्टा	कसावा	तना	सी
137.		मारान्टा एरुन्टीफोलियूस	अरारोट	द्यूबर जड़	सी
138.		मेट्रोजायलोन सागू	सागो	पीथ	सी
139.		पैचिराइजस इरोसस	मिश्रीकंद	जड़	सी
140.		प्लेटेरेन्थस रोटून्डिफोलियस	कोलीयस आलू	द्यूबर जड़	सी
141.		सोलेनम द्यूबरोसम	आलू	द्यूबरस तना	सी
	XVI. जड़ीय फसलें				
142.a		एपियम ग्रेवियोलेन्स प्रमेद	सिलेरी	जड़ कंद	सी

		रापिसियम			
142.b		एपियम ग्रेवियोलेंस प्रभेद रापिसियम	सिलेरी	सम्पूर्ण पौधा	सी
143.a		बिटा वुल्गेरिस प्रभेद रूब्रा	चुकंदर	जड़ ट्यूबर	सी
143.b		बिटा वुल्गेरिस प्रभेद रूब्रा	चुकंदर	सम्पूर्ण पौधा	सी
	XVII. फल				
144.		एक्टीनिडिया चाइनेन्सिस	कीवी फल	फल	सी
145.		अनानस कोमोसूस	अनानास	फल	सी
146.a		एनोना रेटिकुलाटा	शरीफा / रामफल	फल	सी
146.b		एनोना रेटिकुलाटा	शरीफा / रामफल	छाल	सी
146.c		एनोना रेटिकुलाटा	शरीफा / रामफल	पत्तियाँ	सी
147.		एनोना स्वयेमोसा	शरीफा / सीताफल	फल	सी
148.a		आर्टोकार्पस हेटरोफायलस	कटहल	फल	सी
148.b		आर्टोकार्पस हेटरोफायलस	कटहल	बीज	सी
148.c		आर्टोकार्पस हेटरोफायलस	कटहल	पत्तियाँ	सी
148.d		आर्टोकार्पस हेटरोफायलस	कटहल	पल्प	सी
149.a		आर्टोकार्पस इन्सीसस	ब्रेड फल	फल	सी
149.b		आर्टोकार्पस इन्सीसस	ब्रेड फल	बीज	सी
150.		एवरोहोया कैरमबोला	तारा फल	फल	सी
151.a		कैरिका पापाया	पपीता	फल	सी
151.b		कैरिका पापाया	पपीता	बीज	सी
152.a		कैरिस्सा कारान्डस	करौंदा	फल	एम
152.b		कैरिस्सा कारान्डस	करौंदा	बीज	एम
153.a		कैरिया इलिनोनेन्सिस	पीकन नट	नट	सी
153.b		कैरिया इलिनोनेन्सिस	पीकन नट	बीज	सी
154.		सिट्रस आरियेन्टिफोलिया	नींबू कागजी	फल	सी
155.		सिट्रस लेटिफोलिया	नींबू	फल	सी
156.		सिट्रस लिमोन	नींबू	फल	सी
157.		सिट्रस नोबिलिस	किन्नु	फल	सी
158.		सिट्रस लेटिकुलाटा	मंदारिन	फल	सी
159.		सिट्रस सायनेन्सिस	मीठा संतरा	फल	सी
160.a		कोरिलस कोलूरना	हेजल नट	फल	सी
160.b		कोरिलस कोलूरना	हेजल नट	नट	सी
161.		सायडोनिया आब्लोंगा	श्रीफल	फल	सी
162.		ड्यूरियो जिबेथिनस	ड्यूरियॉन	फल	सी
163.a		इलियोकैरिस डलसिस	सिंगोडा	फल	सी
163.b		इलियोकैरिस डलसिस	सिंगोडा	नट	सी
164.		इरियोबोद्राया जैपोनिका	लोकाट	फल	सी
165.a		फाइकस कैरिका	अंजीर	फल	सी

165.b		फाइकस कैरिका	अंजीर	पत्तियाँ	सी
166.		फ्रागेरिया अनानासा	स्ट्रॉबेरी	फल	सी
167.a		गारसिनिया मैन्गोस्टाना	मंगोस्टीन	फल	सी
167.b		गारसिनिया मैन्गोस्टाना	मंगोस्टीन	बीज	सी
168.a		ग्रिविया एशियाटिका	फलशा	फल	एम
168.b		ग्रिविया एशियाटिका	फलशा	पत्तियाँ	सी
168.c		ग्रिविया एशियाटिका	फलशा	जड़	सी
168.d		ग्रिविया एशियाटिका	फलशा	छाल	सी
168.e		ग्रिविया एशियाटिका	फलशा	बीज	एम
169.a		जुगलंस रेजिया	अखरोट	पत्तियाँ	सी
169.b		जुगलंस रेजिया	अखरोट	बीज	सी
169.c		जुगलंस रेजिया	अखरोट	फल	सी
170.		लिची चाइनेन्सिस	लिची	फल	सी
171.		मैलस डोमेस्टीका	सेब	फल	सी
172.		मैन्गिफेरा इंडिका	आम	फल	सी
173.		मनिलकारा जैपोटा (उपजाति एकरस सैपोटा)	चीकू	फल	सी
174.a		मूसा पेराडिजिएका	केला	फल	सी
174.b		मूसा पेराडिजिएका	केला	पत्तियाँ	सी
174.c		मूसा पेराडिजिएका	केला	जड़ कंद	सी
174.d		मूसा पेराडिजिएका	केला	सम्पूर्ण पौधा	सी
175.a		नेफिलियम लप्पासियम	रम्बुटान / लिची	फल	सी
175.b		नेफिलियम लप्पासियम	रम्बुटान / लिची	तना	सी
175.c		नेफिलियम लप्पासियम	रम्बुटान / लिची	छाल	सी
175.d		नेफिलियम लप्पासियम	रम्बुटान / लिची	जड़	सी
176.		ओलिया यूरोपिया	जैतून	फल	सी
177.		पास्सिपलोरा इडूलिस	पैसन फल	फल	सी
178.		पर्सिया अमेरिकाना	नाशपाती	फल	सी
179.		फोयनिकस डेक्टैलिफेरा	खजूर	फल	सी
180.		फायलेंथस इम्बलिका	आंवला	फल	एम
181.		प्रूनस एमायग्डेलस	बादाम	बीज	सी
182.a		प्रूनस अरमेनिएका	खुबानी	फल	सी
182.b		प्रूनस अरमेनिएका	खुबानी	बीज	सी
183.		प्रूनस एवियूम	चेरी	फल	सी
184.		प्रूनस डोमेस्टीका	प्लम	फल	सी
185.		प्रूनस परसिका	आड़ू	फल	सी
186.		प्रूनस सालिसिना	प्लम	फल	सी
187.		सिडियम ग्वाजावा	अमरुद	फल	सी
188.a		पूनिंका ग्रानेटम	अनार	फल	सी

188.b		पूनिका ग्रानेटम	अनार	बीज	सी
189.		पायरस कोम्मुनिस	सामान्य नाशपाती	फल	सी
190.		राइबस जाति	कुरंट	फल	सी
191.		रुबस जाति	रसबेरी	फल	सी
192.a		सिजाईजियम क्यूमिनी	जामुन	फल	एम
192.b		सिजाईजियम क्यूमिनी	जामुन	बीज	एम
193.		सिजाईजियम जैम्बोस	मालाबार प्लम	फल	सी
194.		वेक्सीनियम जाति	क्रानबेरी	फल	सी
195.		विटिस विनिफेरा	अंगूर	फल	सी
196.		जिजिफस मोरिसियाना	बेर	फल	एम
	XVIII. पुष्पीय एवं सजावटी फसलें				
197.		एल्पीनिया पुरपुराटा	लाल जिन्जर	पुष्प शीर्ष	सी
198.a		एन्थूरियम जाति	एन्थूरियम	पुष्प शीर्ष	सी
198.b		एन्थूरियम जाति	एन्थूरियम	बीज	सी
199.a		ऐन्टिराइहनम जाति	सनैपड्रेगन	पुष्प शीर्ष	सी
199.b		ऐन्टिराइहनम जाति	सनैपड्रेगन	सम्पूर्ण पौधा	सी
200.a		कालेन्दूला ऑफिसिनलिस	कालेन्दूला	पुष्प	सी
200.b		कालेन्दूला ऑफिसिनलिस	कालेन्दूला	बीज	सी
201.a		क्राइसेन्थिमम इंडिकम	वार्षिक क्राइसेन्थिमम	पुष्प शीर्ष	सी
201.b		क्राइसेन्थिमम इंडिकम	वार्षिक क्राइसेन्थिमम	जड़	सी
201.c		क्राइसेन्थिमम इंडिकम	वार्षिक क्राइसेन्थिमम	सम्पूर्ण पौधा	सी
202.		कोडियम वेरिगेटम	क्रोटोन	सम्पूर्ण पौधा	सी
203.a		कोरियोप्सिस लेन्सियोलाटा	कोरियोप्सिस	पुष्प	सी
203.b		कोरियोप्सिस लेन्सियोलाटा	कोरियोप्सिस	बीज	सी
204.a		कोरियोप्सिस टिक्टोरिया	कोरियोप्सिस	पुष्प	सी
204.b		कोरियोप्सिस टिक्टोरिया	कोरियोप्सिस	बीज	सी
205.a		कोसमोस वाइपिन्नाटस	कोसमोस	पुष्प	सी
205.b		कोसमोस वाइपिन्नाटस	कोसमोस	बीज	सी
206.a		क्रोस्साएन्ड्रा जाति	क्रोस्साएन्ड्रा	पुष्प	सी
206.b		क्रोस्साएन्ड्रा जाति	क्रोस्साएन्ड्रा	बीज	सी
207.		डायएफेन्वाचिया जाति	डायएफेन्वाचिया	सम्पूर्ण पौधा	सी
208.a		डायमोर्फोथिका आरिऐन्टेल	अफ्रिकन डेजी	पुष्प	सी
208.b		डायमोर्फोथिका आरिऐन्टेल	अफ्रिकन डेजी	बीज	सी
209.a		एशिसोल्जीया कार्लिफोर्निका	कैलिफोर्निया अफिम	पुष्प	सी
209.b		एशिसोल्जीया कार्लिफोर्निका	कैलिफोर्निया अफिम	बीज	सी
210.a		गजानिया स्पलेन्डेन्स	गजानिया	पुष्प	सी
210.b		गजानिया स्पलेन्डेन्स	गजानिया	बीज	सी
211.a		जरबेरा जाति	जरबेरा	पुष्प शीर्ष	सी

211.b		जरबेरा जाति	जरबेरा	बीज	सी
212.a		ग्लेडियोलस जाति	ग्लेडियोलस	पुष्प शीर्ष	सी
212.b		ग्लेडियोलस जाति	ग्लेडियोलस	सम्पूर्ण पौधा	सी
213.a		हेलिपेन्थस जाति	सूर्यमुखी	पुष्प शीर्ष	सी
213.b		हेलिपेन्थस जाति	सूर्यमुखी	बीज	सी
214.		हेलिकोनिया जाति	हेलिकोनिया	पुष्प शीर्ष	सी
215.a		हेलिक्रायसम ब्रेकटीऐटम	पेपर पुष्प	पुष्प	सी
215.b		हेलिक्रायसम ब्रेकटीऐटम	पेपर पुष्प	बीज	सी
216.a		जेसमिनम जाति	जेसमिन	पुष्प	सी
216.b		जेसमिनम जाति	जेसमिन	दलपुंज	सी
217.		कैलोन्ये जाति	कैलोन्ये	सम्पूर्ण पौधा	सी
218.		लिलियम एशियाटिकम	एशियाटिक लिलि	पुष्प	सी
219.		लिलियम लोन्गिपलोरम	इस्टर लिलि	पुष्प	सी
220.a		मेसेम्ब्रायान्थेमम जाति	आइस प्लांट	पुष्प	सी
220.b		मेसेम्ब्रायान्थेमम जाति	आइस प्लांट	बीज	सी
221.a		पपावर रोहियास	मक्का अफीम	पुष्प	सी
221.b		पपावर रोहियास	मक्का अफीम	बीज	सी
222.a		पिटूनिया हाइब्रिड	पिटूनिया	पुष्प	सी
222.b		पिटूनिया हाइब्रिड	पिटूनिया	बीज	सी
223.b		पिटूनिया जाति	पिटूनिया	पुष्प शीर्ष	सी
224.a		पलोकस ड्रमोंडाई	पलोकस	पुष्प	सी
224.b		पलोकस ड्रमोंडाई	पलोकस	बीज	सी
225.a		रोजा डामास्केना	डामास्क रोज	पुष्प	सी
225.b		रोजा डामास्केना	डामास्क रोज	पत्तियां	सी
226.a		रोजा हाइब्रिडा	गुलाब	पुष्प	सी
226.b		रोजा हाइब्रिडा	गुलाब	पत्तियां	सी
227.		टेजेटेस जाति	गेंदा	पुष्प शीर्ष	सी
228.a		ट्रोपेयोलम मैजस	जलकुंभी वनस्पति	पुष्प	सी
228.b		ट्रोपेयोलम मैजस	जलकुंभी वनस्पति	बीज	सी
229.a		स्ट्रीलिटजिया जाति	बर्ड ऑफ पैराडाइस	पुष्प	सी
229.b		स्ट्रीलिटजिया जाति	बर्ड ऑफ पैराडाइस	समग्र पौधा	सी
230.a		वरबेना हाइब्रिडा	वरबेन जाति का पौधा	पुष्प	सी
230.b		वरबेना हाइब्रिडा	वरबेना जाति का पौध	बीज	सी
231.a		पोलियेंथेस ट्यूबेरोजा	रजनीगंधा	पुष्प	सी
231.b		पोलियेंथेस ट्यूबेरोजा	रजनीगंधा	बीज	सी
232.		डायेन्थस केरियोफाइलस	गुलाबी लौंग	पुष्प	सी
233.a		केलिसट्रेफस चाइनेंसिस	चाइना एस्टर	पुष्प	सी
233.b		केलिसट्रेफस चाइनेंसिस	चाइना एस्टर	बीज	सी
	XIX. औषधी पौधे				

	(औषधी फसल एवं सुगन्धित पौधे)				
234.		एबेलमौस्कस मॉसकेटस	मस्कदाना	बीज	सी
235.a		अकेशिया निलोटिका	बबूल	पत्ती	एम
235.b		अकेशिया निलोटिका	बबूल	गोंद	एम
235.c		अकेशिया निलोटिका	बबूल	छाल	सी
236.a		एकाइरेंथेस एस्पेरा	अपामारगा	समग्र पौध	एम
236.b		एकाइरेंथेस एस्पेरा	अपामारगा	फल	एम
236.c		एकाइरेंथेस एस्पेरा	अपामारगा	जड़	एम
237.		एकोरस केलामस	वाच	प्रकन्द	सी
238.		एलोय वेरा	एलोय	पत्ती	सी
239.		एलपिनिया केलकारटा	आर्था	प्रकन्द	सी
240.a		एल्टेरनेन्थेरा सेसाइलिस	मेटसियाकसी	वायवीय अंश	एम
240.b		एल्टेरनेन्थेरा सेसाइलिस	मेटसियाकसी	समग्र पौधा	सी
241.		एम्मी मैजस	विसप्स वीड	फल	सी
242.a		आर्टिमिसिया एनुआ	एफसैनटिन	वायवीय अंश	सी
242.b		आर्टिमिसियाएनुआ	एफसैनटिन	समग्र पौधा	सी
243.a		आर्टिमिसिया निलगिरिका	दवाना	पुष्प	सी
243.b		आर्टिमिसिया निलगिरिका	दवाना	समग्र पौधा	सी
244.a		आर्टिमिसिया पैलेन्स	धावनम	पत्ती	सी
244.b		आर्टिमिसिया पैलेन्स	धावनम	पुष्प	सी
245.a		एट्रोफा बेलाडोना	बेलेडोना	पत्ती	सी
245.b		एट्रोफा बेलाडोना	बेलेडोना	जड़	सी
246.a		ऐजाडिरक्टा इंडिका	नीम	पत्ती	सी
246.b		ऐजाडिरक्टा इंडिका	नीम	फल	एम
247.		बेकोपा मोन्नेरी	निरब्राह्मी	समग्र पौधा	एम
248.		बेसेला एल्बा	भारतीय शाक	पत्ती	सी
249.a		बोरहेविया डिफ्यूजा	पुनर्नवा	जड़	एम
249.b		बोरहेविया डिफ्यूजा	पुनर्नवा	समग्र पौधा	एम
250.		ब्रैसिका नाइग्रा	सरसो	बीज	सी
251.		सिजलपिनिया सैपन	पाथीमुखम	हार्ट वुड	सी
252.		कैलोट्रोपिस जैजेन्सिया	आख फूल	पुष्प	एम
253.a		कैलोट्रोपिस प्रोसेरा	आख	पत्ती	एम
253.b		कैलोट्रोपिस प्रोसेरा	आख	लेटेक्स	एम
254.a		कैसिया फिस्टुला	अमलताश फली	पुष्प	एम
254.b		कैसिया फिस्टुला	अमलताश फली	फल	एम
254.c		कैसिया फिस्टुला	अमलताश फली	छाल	सी
255.a		कैसिया टोरा	चकोदा बीज	फल	एम
255.b		कैसिया टोरा	चकोदा बीज	बीज	एम

255.c		कैसिया टोरा	चकोदा बीज	पत्ती	एम
256.a		कैथारेन्थस रोसियस	सदाबहार	जड़	सी
256.b		कैथारेन्थस रोसियस	पत्ती	पत्ती	सी
257.a		सेंटेला एशियाटिका	ब्राहमी	पत्ती	एम
257.b		सेंटेला एशियाटिका	ब्राहमी	समग्र पौधा	एम
258.a		सेफालिस इपिकाकुन्हा	इपेक	जड़	सी
258.b		सेफालिस इपिकाकुन्हा	इपेक	प्रकन्द	सी
259.		सेसट्रम डाइयूरनम	दिन का राजा	पत्ती	सी
260.		क्लोरोफाइटम बोरिविलियानम	मूसली	जड़ नली	सी
261.		क्राइसनथिमम पार्थनियम	फियर फियु	पत्ती	सी
262.		क्राइसोपोगन जिजानियोडिस	खसखस	जड़	सी
263.a		साइकोरियम इनटीबस	कसनी	बीज	सी
263.b		साइकोरियम इनटीबस	कसनी	पुष्प	सी
263.c		साइकोरियम इनटीबस	कसनी	पत्ती	सी
264.		साइसस क्वाड्रेगुलेरिस	हाथजोड़ी	तना	एम
265.a		सिट्रुलस कोलोसिथिस	इंद्रायन	फल	एम
265.b		सिट्रुलस कोलोसिथिस	इंद्रायन	जड़	एम
266.		क्रोटोन टीग्लियम	जमाल घोटा	बीज	सी
267.		कुर्कुमा एंगस्टीफोलिया	एरारुट	प्रकन्द	सी
268.		कुर्कुमा जिडोरिया	काचर	प्रकन्द	सी
269.		कस्कुटारिफलेक्सा	अमर बेल	समग्र पौधा	एम
270.		सिम्बोपोगन सिट्राटस	लेमन घास	पत्ती	एम
271.		सिम्बोपोगन पलेक्सोसस	लेमन घास	समग्र पौधा	सी
272.a		सिम्बोपोगनमार्टिनी	अदरक घास	पुष्प शीर्ष	सी
272.b		सिम्बोपोगनमार्टिनी	अदरक घास	पत्ती	एम
272.c		सिम्बोपोगनमार्टिनी	अदरक घास	तना	सी
273.		सिम्बोपोगन विटरियानस	सिट्रोनेला	पत्ती	सी
274.		साइपेरस रोटेंडस	नाग मौथा	जड़	एम
275.		साइपेरस स्केरियोसस	नाग मौथा	जड़	एम
276.a		डिजिटैलिस लेनाटा	फक्स ग्लोव	फली	सी
276.b		डिजिटैलिस लेनाटा	फक्स ग्लोव	समग्र पौधा	सी
276.c		डिजिटैलिस लेनाटा	फक्स ग्लोव	बीज	सी
277.		डाइस्कोरिया फ्लोरीबुंडा	यम	जड़	सी
278.		इकलीप्टा प्रोसट्राटा	भृंगराज	समग्र पौधा	एम
279.a		यूक्लेपटस सिटरीडोरा	यूक्लेपिटस	पत्ती	सी
279.b		यूक्लेपटस सिटरीडोरा	यूक्लेपिटस	काष्ठ	सी
280.a		यूक्लेपटस ग्लोब्यूलस	यूक्लेपिटस	पत्ती	सी
280.b		यूक्लेपटस ग्लोब्यूलस	यूक्लेपिटस	काष्ठ	सी
281.		इवोलवुलस एल्सीनोयडिस	शंख पुष्पी	समग्र पौधा	एम

282.a	ग्लोसियम पलेवम	समुद्री खसखस	पत्ती	सी
282.b	ग्लोसियम पलेवम	समुद्री खसखस	पुष्प	सी
282.c	ग्लोसियम पलेवम	समुद्री खसखस	बीज	सी
283.a	ग्लोरियोसा सुपर्बा	कलिहारी	जड	सी
283.b	ग्लोरियोसा सुपर्बा	कलिहारी	बीज	सी
284.a	ग्लैसीराइजा ग्लेब्रा	मुलेठी	जड	सी
284.b	ग्लैसीराइजा ग्लेब्रा	मुलेठी	तना	सी
285.	हेडाइकियम कोरोनारियम	काचर	प्रकन्द	सी
286.	हेडाइकियम स्पाइकाटम	कपूरकचरी	प्रकन्द	सी
287.a	हिबिस्कस रोजा-साइनेसिस	गुडहल	पुष्प	सी
287.b	हिबिस्कस रोजा-साइनेसिस	गुडहल	जड	सी
288.	हायोसायमस म्यूटिकस	हेनबेन	पत्ती	सी
289.	इंडिगोफेरा टिंकटोरिया	काली मेंहदी	पत्ती	सी
290.	इन्पूला रेसीमोसा	पुसकामूल	जड	सी
291.	जेट्रोफा कारकस	रतनजोत	बीज	सी
292.	जस्टीसिया एढाटोडा / एढाटोडा जेलानिका	वसाका	पत्ती	सी
293.	कॅम्पेफेरिया ग्लान्गा	कचोरा	प्रकन्द	सी
294.	लोसोनिया इनारमिस	मेंहदी	पत्ती	सी
295.	लेपिडियम सेंटिवम	चानसारी ६ आली	बीज	सी
296.	लेप्टाडेनिया रेटीकुलाटा	दुग्धबेल	तना	सी
297.	ल्यूकस एस्पेरा	द्रोण पुष्पी	समग्र पौध	एम
298	मेंथा आरवेंसिस	पुदिना	पत्ती	सी
299.	मेंथा पाइपेरिया	पुदिना	पत्तियां	सी
300.	मेंथा स्पाइकाटा	पुदिना	पत्ती	सी
301.	मोरस अल्बा	शहतूत	पत्तियां	सी
302.a	नेरियम इंडिकम	कनेर	पत्ती	एम
302.b	नेरियम इंडिकम	कनेर	जड	सी
302.c	नेरियम इंडिकम	कनेर	छाल	सी
303.	ओसिमम बेसिलिकम	तुलसी	समग्र पौधा	सी
304.a	ओसिमम टेन्डूइपलोरम	काली तुलसी	पत्ती	सी
304.b	ओसिमम टेन्डूइपलोरम	काली तुलसी	वायवीय अंश	सी
305.a	ओरिगेरम मेजोराना	मेजोरम	पत्ती	सी
305.a	ओरिगेरम मेजोराना	मेजोरम	समग्र पौधा	सी
306.	पेपावर सोम्निफेरम	अफीम दाना	बीज	सी
307.	पेडालियम म्यूरेक्स	बड़ा गोखरु	फल	एम
308.a	पेलारगोनियम ग्रेवियोलेंस	जरनियम रोज	पत्ती	सी
308.b	पेलारगोनियम ग्रेवियोलेंस	जरनियम रोज	पुष्प	सी
309.	फाइलैथस एमारस	भूमि आवला	समग्र पौधा	एम

310.		पाइपर बिटल	पान पत्ता	पत्ती	सी
311.a		पाइपर लॉगम	पिपली/लॉग पिपर	फल	सी
311.b		पाइपर लॉगम	पिपली/लॉग पिपर	जड	सी
311.c		पाइपर लॉगम	पिपली/लॉग पिपर	तना	सी
312.a		प्लेनटागो ओवाटा	इसबगुल	हस्क	सी
312.b		प्लेनटागो ओवाटा	इसबगुल	बीज	सी
313.a		प्लेकट्रैन्थास बारबटास / कोलियस फोर्स कोली	इंडियन कोलेयस	पत्ती	सी
313.b		प्लेकट्रैन्थास बारबटास / कोलियस फोर्स कोली	इंडियन कोलेयस	जड	सी
314.		पोगोस्टेमन कैबलिन	पटचौली	समग्र पौधा	सी
315.		पोंगामिया पिन्नाटा	करंज	बीज	एम
316.a		रोजमारियानास ऑफिसिनलिस	मेहंदी	पत्ती	सी
316.b		रोजमारियानास ऑफिसिनलिस	मेहंदी	पत्ती	सी
317.		सालबोडोरा पर्सिका	मेसवाक	तना	सी
318.		सेन्ना एलेक्जेनड्रिना	सेना	पत्ती	सी
319.a		साइडा कोर्डिफोलिया	बाला	जड	एम
319.b		साइडा कोर्डिफोलिया	बाला	फल	एम
319.c		साइडा कोर्डिफोलिया	बाला	बीज	एम
319.d		साइडा कोर्डिफोलिया	बाला	समग्र पौधा	एम
320.a		सीलिबम मारियानम	दुग्ध रोम	पत्ती	सी
320.b		सीलिबम मारियानम	दुग्ध रोम	पत्ती	एम
321.a		साइमोन्डसिया चाइनेंसिस	जोजोबा	बीज	सी
321.b		साइमोन्डसिया चाइनेंसिस	जोजोबा	बीज	सी
322.a		सोलेनम नाइग्रम	काकामाची	फल	एम
322.b		सोलेनम नाइग्रम	काकामाची	जड	एम
322.c		सोलेनम नाइग्रम	काकामाची	समग्र पौधा	एम
323.a		सोलेनम लेसिनियाटम	कंगारु सेव	पत्ती	सी
323.b		सोलेनम लेसिनियाटम	कंगारु सेव	पुष्प	सी
323.c		सोलेनम लेसिनियाटम	कंगारु सेव	बीज	सी
324.a		सोलेनम प्यूबेसेंस	सुनडाइ काइ	पत्ती	एम
324.b		सोलेनम प्यूबेसेंस	सुनडाइ काइ	फल	एम
325.a		सोलेनम वायारम	उष्णकटिबंधीय सोडा सेव	जड	सी
325.b		सोलेनम वायारम	उष्णकटिबंधीय सोडा सेव	पुष्प	सी
325.c		सोलेनम वायारम	उष्णकटिबंधीय सोडा सेव	फल	सी
326.a		सोलेनम जेंथाकारपम	कटेली	फल	एम
326.b		सोलेनम जेंथाकारपम	कटेली	समग्र पौधा	एम

327.a		स्फीरेंथस इंडिकस	गोरक मुंडी	समग्र पौधा	एम
327.b		स्फीरेंथस इंडिकस	गोरक मुंडी	पुष्प गुच्छ	एम
328.		स्टीविया रिबोडियाना	स्टीविया	पत्तिया	सी
329.a		टेफ्रोसिया परपुरिया	शरद फोका	पत्ती	एम
329.b		टेफ्रोसिया परपुरिया	शरद फोका	जड	एम
329.c		टेफ्रोसिया परपुरिया	शरद फोका	बीज	एम
329.d		टेफ्रोसिया परपुरिया	शरद फोका	फल	एम
330.a		टेरमिनेलिया केटप्पा	जंगली बादाम	बीज	एम
330.b		टेरमिनेलिया केटप्पा	जंगली बादाम	फल	एम
330.c		टेरमिनेलिया केटप्पा	जंगली बादाम	पत्ती	एम
331.a		थेसपेसिया पोपूलनिया	परिशा	पत्ती	एम
331.b		थेसपेसिया पोपूलनिया	परिशा	फल	एम
332.a		थाइमस बुलगारिस	वन अजवायन	पत्ती	सी
332.b		थाइमस बुलगारिस	वन अजवायन	बीज	सी
333.a		टिनोस्पेरा कोर्डिफोलिया	अमृतवाली	तना	सी
333.b		टिनोस्पेरा कोर्डिफोलिया	अमृतवाली	समग्र पौधा	सी
334.		ट्रैकिस्पर्मम एम्मी	अजवायन	बीज	सी
335.		ट्राइब्यूलस टेरेसट्रिस	गोक्षहुरा	फल	एम
336.		विका माइनर	पेरिविकल	पत्ती	एम
337.a		वाइटेक्स नेगोन्डो	नीरगुंडी	पत्ती	सी
337.b		वाइटेक्स नेगोन्डो	नीरगुंडी	बीज	एम
338.		वाइटेक्स ट्राइफोलिया	नेक्की	पत्ती	एम
339.		विथानिया सोमिफेरा	अश्वगंधा	जड	सी
340.		वुडफोर्डिया फ्रुटीकोसा	दाइफूल	फूल	एम
341.		जिजिफस जुजुबा	जुजुबा	फल	एम
	XX. मसाला फसलें				
342.		एल्पीनिया ग्लांगा	बृहत्तर ग्लांगा / कुलंजन	प्रकंद	सी
343.		एमोम सुबुलाटम	बड़ी इलायची	बीज	सी
344.a		एनेथम ग्रेवियोलेंस	डिल / सोआ	पत्ती	सी
344.b		एनेथम ग्रेवियोलेंस	डिल / सोआ	बीज	सी
345.		एपियम ग्रेवियोलेंस	अजवायनध्वादा	पूरा पौधा	सी
346.		कैप्सिकम एनम	शिमला मिर्च	फल	सी
347.		कैप्सिकम फ्रूटसेन्स	मिर्च	फल	सी
348.		केरम कार्वी	जीरा	फल	सी
349.		सिनामोम केशिया	किसिया	छाल	सी
350.a		सिनामोम टमाला	तेजपत्ता	छाल	सी
350.b		सिनामोम टमाला	तेजपत्ता	पत्ती	सी
351.		सिनामोम वेरम	दालचीनी	छाल	सी

352.		कोरिण्ड्रम सैटिवम	धनिया	पूरा पौधा	सी
353.a		क्रोकस सैटिवस	केसर	पुष्प शीर्ष	सी
353.b		क्रोकस सैटिवस	केसर	वर्तिकाग्र	सी
354.		क्यूमिनम सिमिनम (समरूपक्यूमिनम ओडोरम)	जीरा	बीज	सी
355.		कूर्कमा लौंगा	हल्दी	प्रकंद	सी
356.a		इलेटेरिया कार्डमोमम	छोटी इलायची	फल	सी
356.b		इलेटेरिया कार्डमोमम	छोटी इलायची	बीज	सी
357.		फोयेनिकुलम वल्गेर	बड़ी सौंफ / मोती सौंफ	फल	सी
358.		मूरैया कोयेनिगी	करी पत्ता	पत्ती	सी
359.a		माइरिस्टिका फ्रेगरेन्स	जायफल	बीजोपांग	सी
359.b		माइरिस्टिका फ्रेगरेन्स	जायफल	फल	सी
360.		नाइगेला सैटिवा	मंगराइल / काला जीरा	बीज	सी
361.a		पिमेंटा डायोइका	पिमेंटो / जमैका की गोल मिर्च	फल	सी
361.b		पिमेंटा डायोइका	पिमेंटो / जमैका की गोल मिर्च	पत्ती	सी
362.		पिपिनेला एनिसम	सौंफ बीज	बीज	सी
363.		पाइपर नाइग्रम	काली मिर्च	फल	सी
364.		साइजिजियम एरोमेटिकम	लौंग	पुष्पकली	सी
365.		टैमेरिन्डस इंडिका	इमली	फल	सी
366.		ट्रैकिस्पर्मम एम्मी	अजवायन	बीज	सी
367.a		ट्राइगोनेला फोयेनम-ग्रैकम	मेथी	पत्ती	सी
367.b		ट्राइगोनेला फोयेनम-ग्रैकम	मेथी	बीज	सी
368.a		वैनिला प्लेनिफोलिया (पर्याय : वैनिला फ्रैगरेन्स)	वैनिला	फली	सी
368.b		वैनिला प्लेनिफोलिया (पर्याय : वैनिला फ्रैगरेन्स)	वैनिला	पत्तियाँ	सी
369.		जिजिबर औफिसिनेल	अदरक	प्रकंद	सी
		XXI. बागवानी फसलें			
370.a		एनेकार्डियम ओसिडेंटेल	काजू	फल	सी
370.b		एनेकार्डियम ओसिडेंटेल	काजू	बीज	सी
371.		एरेका कैटेचु	सुपारी	छाली	सी
372.		बोरेसस पलैबैलिफेर	ताड़	फल	सी
373.		कैमेलिया साइनेसिस	चाय	पत्ती	सी
374.a		कोकस न्यूसिफेरा	नारियल	पौधा	सी
374.b		कोकस न्यूसिफेरा	नारियल	फल	सी
374.c		कोकस न्यूसिफेरा	नारियल	जड़	सी
375.a		काँफिया अरेबिका	काफी	बीज	सी

375.b		कॉफिया अरेबिका	काफ़ी	फली	सी
376.a		कॉफिया कैनेफोरा	काफ़ी	बीज	सी
376.b		कॉफिया कैनेफोरा	काफ़ी	फली	सी
377.a		इलेइस ग्यूइनेन्सिस	ताड़	फल	सी
377.b		इलेइस ग्यूइनेन्सिस	ताड़	गुठली	सी
377.c		इलेइस ग्यूइनेन्सिस	ताड़	बीज	सी
378.a		हेविया ब्रैसिलिएन्सिस	रबड़	क्षीर	सी
378.b		हेविया ब्रैसिलिएन्सिस	रबड़	बीज	सी
378.c		हेविया ब्रैसिलिएन्सिस	रबड़	काष्ठ	सी
379.a		थियोब्रोमा कोकोवा	कोकोआ	पत्ती	सी
379.b		थियोब्रोमा कोकोवा	कोकोआ	फूल	सी
379.c		थियोब्रोमा कोकोवा	कोकोआ	फल	सी
379.d		थियोब्रोमा कोकोवा	कोकोआ	बीज	सी
	XXII. मशरूम				
380.		एगोरिकस बाइस्पोरस	छोटे मशरूम	सम्पूर्ण पौधा	सी
381.		औरिकुलारिया औरीकुला-जुइइ	काष्ठ बीज	सम्पूर्ण पौधा	सी
382.		औरिकुलारिया पोलिट्राइका	रोयेंदार काष्ठ बीज	सम्पूर्ण पौधा	सी
383.		प्लियूरोटस ओस्ट्रिएटस	धींगरी	सम्पूर्ण पौधा	सी
384.		ट्रेमेलो मेसेंटेरिका	गोल्डन जेली	सम्पूर्ण पौधा	सी
385.		टेमेलो प्यूसिफार्मिस	सफेद जेली	सम्पूर्ण पौधा	सी

टिप्पण

1. यह अधिसूचना ऐसी मदों जिनके अंतर्गत जैविक संसाधन भी हैं के व्यापार को सुकर बनाने के लिए है जिसका सामान्यतः वस्तुओं के क्रय में व्यापार किया जाता है और यदि इन मदों में से कोई मद किसी अन्य प्रयोजन के लिए उपयोग किए जाने के लिए आशयित है तो पूर्वोक्त अधिनियम के सुसंगत उपबंध लागू होंगे।
2. ऐसे उत्पाद जो उपरोक्त सारणी में सूचीबद्ध मदों से व्युत्पन्न किए जाते हैं, सामान्य प्रचलन के पदार्थ के रूप में व्यापार किए जाते हैं, सामान्य वस्तुओं के रूप में सामान्य रूप से व्यापार किए गए रूप में भी माना जाएगा और ऐसे मामलों में सिद्ध करने का भार कि उक्त उत्पाद सामान्य प्रचलन के अंतर्गत आते हैं, दावेदार पर होगा।
3. अधिसूचना कृषित प्रजातियों (जैविक संसाधनों) वन्य सापेक्षों को लागू नहीं होंगे।
4. ऊपर उल्लिखित जैविक संसाधनों के स्रोत इस अधिसूचना से संलग्न प्ररूप में राष्ट्रीय जैव विविधता प्राधिकरण के समक्ष विनिर्माता या निर्यात अभिकरण द्वारा कृषित या मिश्रित प्रवर्ग (कृषित +वन्य=एम के लिए घोषित किए जाएंगे।
5. उपरोक्त सूचीबद्ध जैविक संसाधनों का प्रवर्गीकरण- औषधीय पौधे, रेशदार फसलें, चारा फसलें और हरी खाद केवल व्याख्यात्मक प्रयोजन के लिए है और एक उपयोग प्रवर्ग के अधीन उल्लिखित जैविक संसाधन अन्य उपयोग प्रवर्ग के अंतर्गत भी आ सकता है।
6. इस अधिसूचना के लागू होने के प्रयोजन के लिए, ऊपर सारणी के स्तंभ (3) में दिए गए जैविक संसाधनों के वैज्ञानिक नाम लागू होंगे।

प्ररूप
(टिप्पण 4 देखें)

सेवा में,	6. शासकीय प्रयोग के लिए
1. निम्नलिखित से प्रेषित माल (निर्यातकर्ता/विनिर्माता-कारबार का नाम तथा पता रजिस्ट्रीकरण सं. पैन सं., मोबाइल नं., ई.मेल पहचान और आई ई कोड)	
2. निम्नलिखित प्रेषित माल (प्रेषित का नाम, पता देश)	
3. प्राप्त व्यापार आदेश के ब्यौरे	
4. परिवहन के साधन और मार्ग (जहां तक ज्ञात हो)	
5. पत्तन का नाम (यदि निर्यात किया गया हो) (क) भारत में (ख) आयात करने वाला देश	

7. भारतीय व्यापार वर्गीकरण सुमेहित प्रणाली कोड (आईटीसी-एचएस) (जहां उपलब्ध हो)	8. पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना सं. - ----- तारीख में वस्तुओं सामान्यतः के रूप में व्यापार किया गया	9. व्याख्यात्मक व्यापार या सामान्य नाम	10. जैविक संसाधन का नाम अधिमानतः वैज्ञानिक नाम	11. पादप भाग	12. अंतिम उपयोग (ओषधीय/प्रजाती/फलोद्यान/सुगंधित/खाद्य) अन्य (कृपया विनिर्दिष्ट करें)
13. पैकेजों की संख्या और प्रकार: वस्तुओं का वर्णन	14. कृषित स्रोत या कृषित + वन्य=मिश्रित (एम)	15. भार (कि.ग्रा.) में	16. कुल मूल्य(रुपए में)	17. बीजक संख्या और तारीख में	
18. निर्यातकर्ता/विनिर्माता द्वारा घोषणा अधोहस्ताक्षरी घोषणा करता है कि ऊपर दिए गए ब्यौरे और कथन सही हैं। उक्त सामग्री/जैविक संसाधनमें उत्पादित किए गए थे/से उपाप्त किए गए थे। (स्थान/ग्राम/ताल्लुक/मंडल/जिले का नाम) और वे स्रोत अपेक्षाओं का अनुपालन करते हैं तथा.....को निर्यात किए जा रहे हैं। (आयात करने वाली फर्म का पता और देश) मैं सत्यनिष्ठा से यह प्रतिज्ञान करता हूं और घोषणा करता हूं कि यहां दी गई जानकारी सत्य और सही है और मैं इसमें दी गई किसी मिथ्या सूचना के लिए दायी हूं।					
प्रति: राष्ट्रीय जैव विविधता प्राधिकरण, 5वां तल, टीआईसीईएल जैव पार्क, सीएसआईआर रोड, तारामनी, चैन्नई-600113					

[फा. सं. 28-13/2008-सीएस-III (एनबीए) खंड 2]

डा. सुजाता अरोड़ा, (वैज्ञानिक 'जी'/सलाहकार)

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 7th April, 2016

S.O. 1352(E).—In exercise of the powers conferred by section 40 of the Biological Diversity Act, 2002 (18 of 2003) and in supersession of the notification number S.O.2726(E), dated the 26th October 2009, the Central Government, in consultation with the National Biodiversity Authority, hereby declares that the provisions of this Act shall not apply to the biological resources specified in column (3) of the Table below, having the illustrative trade or common name as mentioned in column (4) of the said Table, with plant part as specified in column (5) of the aforesaid Table and having the Source as mentioned in column (6) of the aforesaid Table, provided the said biological resources are normally traded as commodities subject to the terms enumerated in the Notes given below the said Table, namely:-

Sl. No.	Items	Biological resources	Illustrative trade or common name	Plant part	Source: (cultivated=C; wild= W; cultivated plus wild=Mixed-M)
(1)	(2)	(3)	(4)	(5)	(6)
	I. Cereals				
1.a		Hordeum vulgare	Barley	Grain	C
1.b		Hordeum vulgare	Barley	Whole Plant	C
2.a		Oryza sativa	Paddy	Grain	C
2.b		Oryza sativa	Paddy	Whole Plant	C
3.a		Secale cereale	Rye	Grain	C
3.b		Secale cereale	Rye	Whole Plant	C
4.a		Triticum aestivum	Wheat	Grain	C
4.b		Triticum aestivum	Wheat	Whole Plant	C
5.a		Triticum durum	Macaroni wheat	Grain	C
5.b		Triticum durum	Macaroni wheat	Whole Plant	C
6.a		Zea mays	Maize	Grain	C
6.b		Zea mays	Maize	Whole Plant	C
	II. Millets				
7.a		Echinochloa colona	Barnyard millet	Grain,	C
7.b		Echinochloa colona	Barnyard millet	Whole Plant	C
8.a		Eleusine coracana	Finger millet /Ragi	Grain	C
8.b		Eleusine coracana	Finger millet /Ragi	Whole Plant	C
9.a		Panicum miliaceum	Common millet	Grain	C
9.b		Panicum miliaceum	Common millet	Whole Plant	C
10.a		Panicum sumatrense	Little millet	Grain	C
10.b		Panicum sumatrense	Little millet	Whole Plant	C
11.a		Paspalum scrobiculatum	Kodo millet	Grain	C
11.b		Paspalum scrobiculatum	Kodo millet	Whole Plant	C
12.a		Pennisetum glaucum	Pearl millet /Bajra	Grain	C
12.b		Pennisetum glaucum	Pearl millet /Bajra	Whole Plant	C
13.a		Setaria italica	Italian millet	Grain	C
13.b		Setaria italica	Italian millet	Whole Plant	C
14.a		Sorghum bicolor	Sorghum /Jawar	Grain	C
14.b		Sorghum bicolor	Sorghum /Jawar	Whole Plant	C
	III. Pulses				
15.a		Cajanus cajan	Pigeon pea /Arhar	Seed	C
15.b		Cajanus cajan	Pigeon pea /Arhar	Pod	C
16.a		Cicer arietinum	Bengal gram	Seed	C
16.b		Cicer arietinum	Bengal gram	Pod	C
17.a		Lablab purpureus	Lablab bean	Seed	C
17.b		Lablab purpureus	Lablab bean	Pod	C
18.a		Lathyrus sativus	Khesari /Chickling vetch	Seed	C
18.b		Lathyrus sativus	Khesari /Chickling vetch	Pod	C

19.a		<i>Lens culinaris</i>	Lentil	Seed	C
19.b		<i>Lens culinaris</i>	Lentil	Pod	C
20.a		<i>Macrotyloma uniflorum</i>	Horse gram	Seed	C
20.b		<i>Macrotyloma uniflorum</i>	Horse gram	Pod	C
21.a		<i>Pisum sativum</i> var. <i>arvense</i>	Field Pea	Seed	C
21.b		<i>Pisum sativum</i> var. <i>arvense</i>	Field Pea	Pod	C
22.a		<i>Vicia crassa</i>	Cow pea	Seed	C
22.b		<i>Vicia crassa</i>	Cow pea	Pod	C
23.a		<i>Vicia faba</i>	Field bean	Seed	C
23.b		<i>Vicia faba</i>	Field bean	Pod	C
24.a		<i>Vicia sativa</i>	Common vetch	Seed	C
24.b		<i>Vicia sativa</i>	Common vetch	Pod	C
25.a		<i>Vigna aconitifolia</i>	Moth Bean/Kidney bean	Seed	C
25.b		<i>Vigna aconitifolia</i>	Moth Bean/Kidney bean	Pod	C
26.a		<i>Vigna angularis</i>	Adzuki bean	Seed	C
26.b		<i>Vigna angularis</i>	Adzuki bean	Pod	C
27.a		<i>Vigna mungo</i>	Black gram	Seed	C
27.b		<i>Vigna mungo</i>	Black gram	Pod	C
28.a		<i>Vigna radiata</i>	Green gram	Seed	C
28.b		<i>Vigna radiata</i>	Green gram	Pod	C
29.a		<i>Vigna umbellata</i>	Rice bean	Bean	C
29.b		<i>Vigna umbellata</i>	Rice bean	Pod	C
	IV. Oil Seeds				
30.a		<i>Arachis hypogaea</i>	Ground nut	Seed	C
30.b		<i>Arachis hypogaea</i>	Ground nut	Pod	C
31.a		<i>Brassica campestris</i> var. Yellow sarson	Indian rape seed / Mustard	Seed	C
31.b		<i>Brassica campestris</i> var. Yellow sarson	Indian rape seed / Mustard	Pod	C
32.a		<i>Brassica campestris</i> var. Brown sarson	Indian rape seed / Mustard	Seed	C
32.b		<i>Brassica campestris</i> var. Brown sarson	Indian rape seed / Mustard	Pod	C
33.a		<i>Brassica juncea</i>	Indian rape seed / Mustard	Seed	C
33.b		<i>Brassica juncea</i>	Indian rape seed / Mustard	Pod	C
34.a		<i>Brassica napus</i>	Indian rape seed / Mustard	Seed	C
34.b		<i>Brassica napus</i>	Indian rape seed / Mustard	Pod	C
35.a		<i>Brassica rapa</i>	Indian rape seed / Mustard	Seed	C
35.b		<i>Brassica rapa</i>	Indian rape seed / Mustard	Pod	C
36.		<i>Carthamus tinctorius</i>	Safflower	Seed	C
37.a		<i>Eruca sativa</i> subsp. <i>sativa</i>	Rocket salad /Taramira	Seed	C
37.b		<i>Eruca sativa</i> subsp. <i>sativa</i>	Rocket salad /Taramira	Leaf	C
38.a		<i>Glycine max</i>	Soybean	Seed	C
38.b		<i>Glycine max</i>	Soybean	Pod	C
39.		<i>Guizotia abyssinica</i>	Niger	Seed	C
40.a		<i>Helianthus annuus</i>	Sunflower	Seed	C
40.b		<i>Helianthus annuus</i>	Sunflower	Kernel	C
41.a		<i>Linum usitatissimum</i>	Linseed	Seed	C
41.b		<i>Linum usitatissimum</i>	Linseed	Pod	C
42.a		<i>Ricinus communis</i>	Castor	Seed	C
42.b		<i>Ricinus communis</i>	Castor	Pod	C

43.a		Sesamum indicum	Sesame	Seed	C
43.b		Sesamum indicum	Sesame	Pod	C
	V. Fibre Crops				
44.a		Corchorus capsularis	White Jute	Seed	C
44.b		Corchorus capsularis	White Jute	Whole Plant	C
44.c		Corchorus capsularis	White Jute	Fiber	C
44.d		Corchorus capsularis	White Jute	Stem	C
45.a		Corchorus olitorius	Tossa Jute	Seed	C
45.b		Corchorus olitorius	Tossa Jute	Whole Plant	C
45.c		Corchorus olitorius	Tossa Jute	Fiber	C
45.d		Corchorus olitorius	Tossa Jute	Stem	C
46.a		Gossypium arboreum	Tree cotton	Fiber	C
46.b		Gossypium arboreum	Tree cotton	Seed capsule	C
47.a		Gossypium barbadense	Cotton	Fiber	C
47.b		Gossypium barbadense	Cotton	Seed Capsule	C
47.c		Gossypium barbadense	Cotton	Whole Plant	C
48.a		Gossypium herbaceum	Cotton	Fiber	C
48.b		Gossypium herbaceum	Cotton	Seed Capsule	C
48.c		Gossypium herbaceum	Cotton	Whole Plant	C
49.a		Gossypium hirsutum	Cotton	Fiber	C
49.b		Gossypium hirsutum	Cotton	Seed Capsule	C
49.c		Gossypium hirsutum	Cotton	Whole Plant	C
50.a		Hibiscus sabdariffa	Red sorrel	Stem	C
50.b		Hibiscus sabdariffa	Red sorrel	Fiber	C
50.c		Hibiscus sabdariffa	Red sorrel	Whole Plant	C
50.d		Hibiscus sabdariffa	Red sorrel	Seed	C
	VI. Forage Crops				
51.a		Avena sativa	Oats	Whole Plant	C
51.b		Avena sativa	Oats	Grain	C
52.a		Cenchrus ciliaris	Buffel grass	Whole Plant	C
52.b		Cenchrus ciliaris	Buffel grass	Grain	C
53.a		Cenchrus setigerus	Birdwood grass	Whole Plant	C
53.b		Cenchrus setigerus	Birdwood grass	Grain	C
54.a		Chrysopogon fulvus	Dharaf grass	Whole Plant	C
54.b		Chrysopogon fulvus	Dharaf grass	Grain	C
55.a		Dichanthium annulatum	Marvel grass	Whole Plant	C
55.b		Dichanthium annulatum	Marvel grass	Grain	C
56.a		Euchlaena mexicana	Teosinte	Whole Plant	C
56.b		Euchlaena mexicana	Teosinte	Grain	C
57.a		Fagopyrum esculentum	Buck wheat	Whole Plant	C
57.b		Fagopyrum esculentum	Buck wheat	Seed	C
58.a		Festuca spp.	Fescue	Whole Plant	C
58.b		Festuca spp.	Fescue	Seed	C
59.a		Medicago sativa	Lucerne	Whole Plant	C
59.b		Medicago sativa	Lucerne	Seed	C
59.c		Medicago sativa	Lucerne	Pod	C
60.a		Melilotus indicus	Sweet clover /senji	Whole Plant	C
60.b		Melilotus indicus	Sweet clover /senji	Bean	C
60.c		Melilotus indicus	Sweet clover /senji	Pod	C
61.a		Panicum maximum	Guinea grass	Whole Plant	C
61.b		Panicum maximum	Guinea grass	Grain	C
62.a		Pennisetum pedicellatum	Dinanath grass	Whole Plant	C
62.b		Pennisetum pedicellatum	Dinanath grass	Grain	C
63.a		Pennisetum purpureum	Napier grass	Whole Plant	C
63.b		Pennisetum purpureum	Napier grass	Grain	C

64.		<i>Setaria sphacelata</i>	Golden bristle grass	Whole Plant	C
65.a		<i>Sorghum bicolor</i> subsp. <i>drummondii</i>	Forage sorghum (incl. sudan grass)	Whole Plant	C
65.b		<i>Sorghum bicolor</i> subsp. <i>drummondii</i>	Forage sorghum (incl. sudan grass)	Grain	C
66.a		<i>Stylosanthes guyanensis</i>	Stylo/Tropical lucerne	Whole Plant	C
66.b		<i>Stylosanthes guyanensis</i>	Stylo/Tropical lucerne	Grain	C
67.a		<i>Trifolium alexandrinum</i>	Berseem/Egyptian clover	Whole Plant	C
67.b		<i>Trifolium alexandrinum</i>	Berseem/ Egyptian clover	Grain	C
	VII. Green Manures				
68.a		<i>Crotalaria juncea</i>	Sunhemp	Whole Plant	C
68.b		<i>Crotalaria juncea</i>	Sunhemp	Seed	C
69.a		<i>Hibiscus cannabinus</i>	Mesta	Whole Plant	C
69.b		<i>Hibiscus cannabinus</i>	Mesta	Seed	C
70.a		<i>Sesbania aculeata</i>	Dhaincha	Whole Plant	C
70.b		<i>Sesbania aculeata</i>	Dhaincha	Seed	C
70.c		<i>Sesbania aculeata</i>	Dhaincha	Pod	C
	VIII. Sugar Crops				
71.a		<i>Saccharum officinarum</i>	Sugar cane	Stem	C
71.b		<i>Saccharum officinarum</i>	Sugar cane	Whole Plant	C
	IX. Narcotics				
72.a		<i>Nicotiana tabacum</i>	Tobacco	Leaf	C
72.b		<i>Nicotiana tabacum</i>	Tobacco	Whole Plant	C
	X. Cucurbits				
73.a		<i>Benincasa hispida</i>	White Gourd/Petta	Leaf	C
73.b		<i>Benincasa hispida</i>	White Gourd/Petta	Fruit	C
73.c		<i>Benincasa hispida</i>	White Gourd/Petta	Flower	C
74.a		<i>Citrullus lanatus</i>	Watermelon	Fruit	C
74.b		<i>Citrullus lanatus</i>	Watermelon	Rind	C
75.a		<i>Coccinia grandis</i>	Gherkin/Ivy Gourd	Root	C
75.b		<i>Coccinia grandis</i>	Gherkin-Ivy Gourd	Fruit	C
76.a		<i>Cucumis callosus</i>	Melon/Bitter Cucumber	Fruit	C
76.b		<i>Cucumis callosus</i>	Melon/Bitter Cucumber	Seed	C
77.a		<i>Cucumis melo</i>	Muskmelon	Fruit	C
77.b		<i>Cucumis melo</i>	Muskmelon	Seed	C
78.		<i>Cucumis melo</i> var. <i>momordica</i>	Cantaloupe/Mushmelon	Fruit	C
79.a		<i>Cucumis melo</i> var. <i>utilissimus</i>	Snake Cucumber/Kakri	Root tubers	C
79.b		<i>Cucumis melo</i> var. <i>utilissimus</i>	Snake Cucumber/Kakri	Fruit	C
80.a		<i>Cucumis sativus</i>	Cucumber/Keera	Fruit	C
80.b		<i>Cucumis sativus</i>	Cucumber/Keera	Root tubers	C
81.		<i>Cucurbita maxima</i>	Indian squash	Fruit	C
82.a		<i>Cucurbita moschata</i>	Pumpkin	Flower	C
82.b		<i>Cucurbita moschata</i>	Pumpkin	Stem	C
82.c		<i>Cucurbita moschata</i>	Pumpkin	Fruit	C
83.a		<i>Cucurbita pepo</i>	Field Pumpkin	Fruit	C
83.b		<i>Cucurbita pepo</i>	Field Pumpkin	Flower	C
83.c		<i>Cucurbita pepo</i>	Field Pumpkin	Leaf	C
83.d		<i>Cucurbita pepo</i>	Field Pumpkin	Seed	C
84.		<i>Lagenaria siceraria</i>	Bottle Gourd/Giya/Lauki	Fruit	C
85.a		<i>Luffa acutangula</i>	Angled Luffa/Toria	Root	C
85.b		<i>Luffa acutangula</i>	Angled Luffa/Toria	Fruit	C
86.a		<i>Luffa cylindrica</i>	Sponge Gourds	Fruit	C
86.b		<i>Luffa cylindrica</i>	Sponge Gourds	Seed	C

87.a		Momordica charantia	Bitter Gourd/Karela	Fruit	C
87.b		Momordica charantia	Bitter Gourd/Karela	Seed	C
87.c		Momordica charantia	Bitter Gourd/Karela	Root	C
88.a		Praecitrullus fistulosus	Tinda	Fruit	C
88.b		Praecitrullus fistulosus	Tinda	Root	C
88.c		Praecitrullus fistulosus	Tinda	Seed	C
89.a		Sechium edule	Chow-chow	Fruit	C
89.b		Sechium edule	Chow-chow	Tuber	C
89.c		Sechium edule	Chow-chow	Leaf	C
90.a		Trichosanthes cucumerina	Snake Gourd/ Chachinda	Leaf	C
90.b		Trichosanthes cucumerina	Snake Gourd/ Chachinda	Stem	C
90.c		Trichosanthes cucumerina	Snake Gourd/ Chachinda	Seed	C
90.d		Trichosanthes cucumerina	Snake Gourd/ Chachinda	Tuber	C
90.e		Trichosanthes cucumerina	Snake Gourd/ Chachinda	Fruit	C
91.a		Trichosanthes dioica	Parwal/Pointed Gourd	Root	C
91.b		Trichosanthes dioica	Parwal/Pointed Gourd	Fruit	C
	XI. Cole Crops				
92.a		Brassica rapa subsp.chinensis	Chinese cabbage	Leaf	C
92.b		Brassica rapa subsp.chinensis	Chinese cabbage	Whole Plant	C
93.a		Brassica rapa subsp.pekinensis	Chinese cabbage	Leaf	C
93.b		Brassica rapa subsp.pekinensis	Chinese cabbage	Whole Plant	C
	XII. Green/ Leafy egetables				
94.		Abelmoschus esculentus	Lady's Fingers/ Bhindi/Okra	Fruit	C
95.		Allium ampeloprasum	Leek	Whole Plant	C
96.a		Amaranthus blitum	Amaranth/chauli	Leaf	C
96.b		Amaranthus blitum	Amaranth/chauli	Whole Plant	C
97.a		Amaranthus cruentus	Amaranth/grain	Grain	C
97.b		Amaranthus cruentus	Amaranth/grain	Leaf	C
98.a		Amaranthus tricolor	Amaranth /tender	Leaf	C
98.b		Amaranthus tricolor	Amaranth /tender	Whole Plant	C
99.a		Apium graveolens var.dulce	Celery	Leaf	C
99.b		Apium graveolens var.dulce	Celery	Whole Plant	C
100.a		Asparagus officinalis	Asparagus	Shoot	C
100.b		Asparagus officinalis	Asparagus	Whole Plant	C
101.a		Beta vulgaris	Beet Root	Root	C
101.b		Beta vulgaris	Beet Root	Leaf	C
102.a		Beta vulgaris var.bengalensis	Beet (Sea beet)	Leaf	C
102.b		Beta vulgaris var.bengalensis	Beet (Sea beet)	Flower	C
102.c		Beta vulgaris var.bengalensis	Beet (Sea beet)	Root	C
103.a		Beta vulgaris var.flavescens	Spinach beet	Leaf	C
103.b		Beta vulgaris var.flavescens	Spinach beet	Whole Plant	C
104.		Brassica oleracea var. botrytis	Cauliflower	Flower Bud	C
105.		Brassica oleracea var.capitata	Cabbage	Leaf	C
106.a		Brassica oleracea var.gemmifera	Brussels Sprouts/ Cabbage	Leaf	C
106.b		Brassica oleracea var.gemmifera	Brussels Sprouts/Cabbage	Bud	C
107.a		Brassica oleracea var.gongylodes	Kohlrabi	Tuberous stem	C
107.b		Brassica oleracea var.gongylodes	Kohlrabi	Leaf	C
108.a		Brassica oleracea var.italica	Broccoli	Flower Bud	C
108.b		Brassica oleracea var. italica	Broccoli	Seed pod	C
109.a		Cyamopsis tetragonoloba	Guar Bean	Pod	C

109.b		<i>Cyamopsis tetragonoloba</i>	Guar Bean	Seed	C
110.		<i>Cynara cardunculus</i> var. <i>scolymus</i>	Artichokes	Whole Plant	C
111.a		<i>Daucus carota</i>	Carrot (Wild)	Root	C
111.b		<i>Daucus carota</i>	Carrot (Wild)	Flower	C
112.a		<i>Lablab purpureus</i> (Syn. <i>Dolichos lablab</i>)	Lablab/Sem	Pod	C
112.b		<i>Lablab purpureus</i> (Syn. <i>Dolichos lablab</i>)	Lablab/Sem	Seed	C
113.a		<i>Lactuca sativa</i>	Lettuce	Leaf	C
113.b		<i>Lactuca sativa</i>	Lettuce	Seed	C
114.		<i>Lycopersicon esculentum</i>	Tomato	Fruit	C
115.a		<i>Moringa oleifera</i>	Drumstick tree	Fruit	C
115.b		<i>Moringa oleifera</i>	Drumstick tree	Leaf	C
115.c		<i>Moringa oleifera</i>	Drumstick tree	Seed	C
115.d		<i>Moringa oleifera</i>	Drumstick tree	Root	C
116.a		<i>Petroselinum crispum</i>	Parsley/Biennian Plant	Leaf	C
116.b		<i>Petroselinum crispum</i>	Parsley/Biennian Plant	Root	C
116.c		<i>Petroselinum crispum</i>	Parsley /Biennian Plant	Seed	C
117.a		<i>Phaseolus vulgaris</i>	Kidney Bean/Rajmah	Leaf	C
117.b		<i>Phaseolus vulgaris</i>	Kidney Bean/Rajmah	Bean	C
117.c		<i>Phaseolus vulgaris</i>	Kidney Bean/Rajmah	Seed	C
118.a		<i>Pisum sativum</i>	Pea/Garden Pea	Pod	C
118.b		<i>Pisum sativum</i>	Pea/Garden Pea	Seed	C
119.a		<i>Raphanus sativus</i>	Radish/Mooli	Leaf	C
119.b		<i>Raphanus sativus</i>	Radish/Mooli	Seed	C
119.c		<i>Raphanus sativus</i>	Radish/Mooli	Root	C
120.a		<i>Sesbania grandiflora</i>	Agati/ Gaach-Munga	Flower	C
120.b		<i>Sesbania grandiflora</i>	Agati/ Gaach-Munga	Pod	C
121.		<i>Solanum melongena</i>	Brinjal/Eggplant	Fruit	C
122.		<i>Spinacia oleracea</i>	Spinach	Leaf	C
123.a		<i>Trigonella corniculata</i>	Fenugreek/kasuri methi	Seed	C
123.b		<i>Trigonella corniculata</i>	Fenugreek/kasuri methi	Whole Plant	C
124.a		<i>Vigna unguiculata</i>	Cowpea/Lobia	Leaf	C
124.b		<i>Vigna unguiculata</i>	Cowpea/Lobia	Seed	C
124.c		<i>Vigna unguiculata</i>	Cowpea/Lobia	Pod	C
	XIII. Cruciferous Vegetable				
125.a		<i>Raphanus caudatus</i>	Rat-tail Radish	Pod	C
125.b		<i>Raphanus caudatus</i>	Rat-tail Radish	Seed	C
	XIV. Bulb Crops				
126.a		<i>Allium cepa</i> var. <i>aggregatum</i>	Multiplier onion /Potato onion	Bulb	C
126.b		<i>Allium cepa</i> var. <i>aggregatum</i>	Multiplier onion /Potato onion	Whole Plant	C
	XV. Tubers, Rhizomes and Pith				
127.		<i>Allium cepa</i>	Onions	Bulb	C
128.		<i>Allium sativum</i>	Garlic	Bulb	C
129.		<i>Amorphophallus paeoniifolius</i>	Elephant foot yam/ Jimikand	Root	C
130.a		<i>Armoracia rusticiana</i>	Horse radish	Tuber	C
130.b		<i>Armoracia rusticiana</i>	Horse radish	Whole tuber	C
131.a		<i>Colocasia esculenta</i>	Taro (Arvi)	Corm	C

131.b		<i>Colocasia esculenta</i>	Taro (Arvi)	Rhizome	C
132.		<i>Dioscorea alata</i>	Guyana arrowroot/ Ratalu/ Violet Yam	Tuber	C
133.		<i>Dioscorea cayennensis</i> subsp. <i>rotundata</i>	Guinea Yam	Tuber	C
134.		<i>Dioscorea esculenta</i>	Lesser Yam	Tuber	C
135.		<i>Ipomoea batatas</i>	Sweet Potato/Shakarkand	Tuberous Root	C
136.a		<i>Manihot esculenta</i>	Tapioca/Cassava	Tuberous Root	C
136.b		<i>Manihot esculenta</i>	Tapioca/Cassava	Stem	C
137.		<i>Maranta arundinacea</i>	Arrowroot	Root tuber	C
138.		<i>Metroxylon sagu</i>	Sago	Pith	C
139.		<i>Pachyrhizus erosus</i>	Jicama/ Mishrikand	Root	C
140.		<i>Plectranthus rotundifolius</i>	Hausa Potato, Coleus potato, Country potato	Root tuber	C
141.		<i>Solanum tuberosum</i>	Potato	Tuberous stem	C
	XVI. Root Crops				
142.a		<i>Apium graveolens</i> var. <i>rapeceum</i>	Celeriac	Root bulb	C
142.b		<i>Apium graveolens</i> var. <i>rapeceum</i>	Celeriac	Whole Plant	C
143.a		<i>Beta vulgaris</i> var. <i>rubra</i>	Garden beet	Root Tuber	C
143.b		<i>Beta vulgaris</i> var. <i>rubra</i>	Garden beet	Whole Plant	C
	XVII. Fruit Crops				
144.		<i>Actinidia chinensis</i>	Kiwi Fruit	Fruit	C
145.		<i>Ananas comosus</i>	Pineapple	Fruit	C
146.a		<i>Annona reticulata</i>	Custard Apple/Ramphal	Fruit	C
146.b		<i>Annona reticulata</i>	Custard Apple/Ramphal	Bark	C
146.c		<i>Annona reticulata</i>	Custard Apple/Ramphal	Leaf	C
147.		<i>Annona squamosa</i>	Custard apple	Fruit	C
148.a		<i>Artocarpus heterophyllus</i>	Jackfruit/Kathal	Fruit	C
148.b		<i>Artocarpus heterophyllus</i>	Jackfruit/Kathal	Seed	C
148.c		<i>Artocarpus heterophyllus</i>	Jackfruit/Kathal	Leaf	C
148.d		<i>Artocarpus heterophyllus</i>	Jackfruit/Kathal	Pulp	C
149.a		<i>Artocarpus incisus</i>	Breadfruit	Fruit	C
149.b		<i>Artocarpus incisus</i>	Breadfruit	Seed	C
150.		<i>Averrhoa carambola</i>	Carambola/ Star Fruit	Fruit	C
151.a		<i>Carica papaya</i>	Papaya	Fruit	C
151.b		<i>Carica papaya</i>	Papaya	Seed	C
152.a		<i>Carissa carandas</i>	Karanda/Currants	Fruit	M
152.b		<i>Carissa carandas</i>	Karanda/Currants	Seed	M
153.a		<i>Carya illinoensis</i>	Pecan nut	Nut	C
153.b		<i>Carya illinoensis</i>	Pecan nut	Seed	C
154.		<i>Citrus aurantiifolia</i>	Lime	Fruit	C
155.		<i>Citrus latifolia</i>	Leemo/Tahiti Lime	Fruit	C
156.		<i>Citrus limon</i>	Lemon	Fruit	C
157.		<i>Citrus nobilis</i>	Kinnow	Fruit	C
158.		<i>Citrus reticulata</i>	Mandarin	Fruit	C
159.		<i>Citrus sinensis</i>	Sweet orange	Fruit	C
160.a		<i>Corylus colurna</i>	Hazel nut	Fruit	C
160.b		<i>Corylus colurna</i>	Hazel nut	Nut	C
161.		<i>Cydonia oblonga</i>	Quinces	Fruit	C
162.		<i>Durio zibethinus</i>	Durian	Fruit	C
163.a		<i>Eleocharis dulcis</i>	Singoda	Fruit	C
163.b		<i>Eleocharis dulcis</i>	Singoda	Nut	C
164.		<i>Eriobotrya japonica</i>	Loquat/Japonica	Fruit	C

165.a		<i>Ficus carica</i>	Common fig/Angir	Fruit	C
165.b		<i>Ficus carica</i>	Common fig/Angir	Leaf	C
166.		<i>Fragaria ananassa</i>	Strawberry	Fruit	C
167.a		<i>Garcinia mangostana</i>	Mangosteen	Fruit	C
167.b		<i>Garcinia mangostana</i>	Mangosteen	Seed	C
168.a		<i>Grewia asiatica</i>	Phalsa	Fruit	M
168.b		<i>Grewia asiatica</i>	Phalsa	Leaf	C
168.c		<i>Grewia asiatica</i>	Phalsa	Root	C
168.d		<i>Grewia asiatica</i>	Phalsa	Bark	C
168.e		<i>Grewia asiatica</i>	Phalsa	Seed	M
169.a		<i>Juglans regia</i>	Walnut	Leaf	C
169.b		<i>Juglans regia</i>	Walnut	Seed	C
169.c		<i>Juglans regia</i>	Walnut	Fruit	C
170.		<i>Litchi chinensis</i>	Lichee/Litchi	Fruit	C
171.		<i>Malus domestica</i>	Apple	Fruit	C
172.		<i>Mangifera indica</i>	Mango	Fruit	C
173.		<i>Manilkara zapota</i> (Syn. <i>Achras sapota</i>)	Cheeku/Sapote	Fruit	C
174.a		<i>Musa paradisiaca</i>	Banana	Fruit	C
174.b		<i>Musa paradisiaca</i>	Banana	Leaf	C
174.c		<i>Musa paradisiaca</i>	Banana	Root Tuber	C
174.d		<i>Musa paradisiaca</i>	Banana	Whole Plant	C
175.a		<i>Nephelium lappaceum</i>	Rambutan/Lichi	Fruit	C
175.b		<i>Nephelium lappaceum</i>	Rambutan/Lichi	Shoot	C
175.c		<i>Nephelium lappaceum</i>	Rambutan/Lichi	Bark	C
175.d		<i>Nephelium lappaceum</i>	Rambutan/Lichi	Root	C
176.		<i>Olea europaea</i>	Olive	Fruit	C
177.		<i>Passiflora edulis</i>	Passion Fruit	Fruit	C
178.		<i>Persea americana</i>	Avacado/Pear	Fruit	C
179.		<i>Phoenix dactylifera</i>	Dates	Fruit	C
180.		<i>Phyllanthus emblica</i>	Aamla	Fruit	M
181.		<i>Prunus amygdalus</i>	Almonds	Seed/Kernel	C
182.a		<i>Prunus armeniaca</i>	Apricot/ Khubani	Fruit	C
182.b		<i>Prunus armeniaca</i>	Apricot/ Khubani	Kernel/Seed	C
183.		<i>Prunus avium</i>	Cherry	Fruit	C
184.		<i>Prunus domestica</i>	Plum	Fruit	C
185.		<i>Prunus persica</i>	Peaches	Fruit	C
186.		<i>Prunus salicina</i>	Plum	Fruit	C
187.		<i>Psidium guajava</i>	Amrud/Guava	Fruit	C
188.a		<i>Punica granatum</i>	Anar/Pomegranate	Fruit	C
188.b		<i>Punica granatum</i>	Anar/Pomegranate	Seed	C
189.		<i>Pyrus communis</i>	Common Pear	Fruit	C
190.		<i>Ribes spp.</i>	Currant	Fruit	C
191.		<i>Rubus spp.</i>	Raspberry	Fruit	C
192.a		<i>Syzygium cumini</i>	Jambul/Jamun	Fruit	M
192.b		<i>Syzygium cumini</i>	Jambul/Jamun	Seed	M
193.		<i>Syzygium jambos</i>	Malabar Plum	Fruit	C
194.		<i>Vaccinium spp.</i>	Cranberry	Fruit	C
195.		<i>Vitis vinifera</i>	Grapes	Fruit	C
196.		<i>Ziziphus mauritiana</i>	Jujube/Ber	Fruit	M
	XVIII. Flower crops & Ornamentals				
197.		<i>Alpinia purpurata</i>	Red ginger	Flower head	C
198.a		<i>Anthurium spp.</i>	Anthurium	Flower head	C
198.b		<i>Anthurium spp.</i>	Anthurium	Seed	C

199.a		<i>Antirrhinum</i> spp.	Snapdragon	Flower head	C
199.b		<i>Antirrhinum</i> spp.	Snapdragon	Whole Plant	C
200.a		<i>Calendula officinalis</i>	Calendula	Flower	C
200.b		<i>Calendula officinalis</i>	Calendula	Seed	C
201.a		<i>Chrysanthemum indicum</i>	Annual chrysanthemum	Flower Head	C
201.b		<i>Chrysanthemum indicum</i>	Annual chrysanthemum	Root	C
201.c		<i>Chrysanthemum indicum</i>	Annual chrysanthemum	Whole Plant	C
202.		<i>Codiaeum variegatum</i>	Croton	Whole Plant	C
203.a		<i>Coreopsis lanceolata</i>	Coreopsis	Flower	C
203.b		<i>Coreopsis lanceolata</i>	Coreopsis	Seed	C
204.a		<i>Coreopsis tinctoria</i>	Coreopsis	Flower	C
204.b		<i>Coreopsis tinctoria</i>	Coreopsis	Seed	C
205.a		<i>Cosmos bipinnatus</i>	Cosmos	Flower	C
205.b		<i>Cosmos bipinnatus</i>	Cosmos	Seed	C
206.a		<i>Crossandra</i> spp.	Crossandra	Flower	C
206.b		<i>Crossandra</i> spp.	Crossandra	Seed	C
207.		<i>Dieffenbachia</i> spp.	Dieffenbachia	Whole Plant	C
208.a		<i>Dimorphotheca orientale</i>	African daisy	Flower	C
208.b		<i>Dimorphotheca orientale</i>	African daisy	Seed	C
209.a		<i>Eschscholzia californica</i>	Californica poppy	Flower	C
209.b		<i>Eschscholzia californica</i>	Californica poppy	Seed	C
210.a		<i>Gazania splendens</i>	Gazania	Flower	C
210.b		<i>Gazania splendens</i>	Gazania	Seed	C
211.a		<i>Gerbera</i> spp.	Gerbera	Flower head	C
211.b		<i>Gerbera</i> spp.	Gerbera	Seed	C
212.a		<i>Gladiolus</i> spp.	Gladiolus	Flower head	C
212.b		<i>Gladiolus</i> spp.	Gladiolus	Whole Plant	C
213.a		<i>Helianthus</i> spp.	Ornamental sunflower	Flower head	C
213.b		<i>Helianthus</i> spp.	Ornamental sunflower	Seed	C
214.		<i>Heliconia</i> spp.	Heliconia	Flower head	C
215.a		<i>Helichrysum bracteatum</i>	Paper flower	Flower	C
215.b		<i>Helichrysum bracteatum</i>	Paper flower	Seed	C
216.a		<i>Jasminum</i> spp.	Jasmine	Flower	C
216.b		<i>Jasminum</i> spp.	Jasmine	Petal	C
217.		<i>Kalanchoe</i> spp.	Kalanchoe	Whole Plant	C
218.		<i>Lilium asiaticum</i>	Asiatic Lily	Flower	C
219.		<i>Lilium longiflorum</i>	Easter Lily	Flower	C
220.a		<i>Mesembryanthemum</i> spp.	Ice Plant	Flower	C
220.b		<i>Mesembryanthemum</i> spp.	Ice Plant	Seed	C
221.a		<i>Papaver rhoeas</i>	Corn poppy	Flower	C
221.b		<i>Papaver rhoeas</i>	Corn poppy	Seed	C
222.a		<i>Petunia</i> hybrid	Petunia	Flower	C
222.b		<i>Petunia</i> hybrid	Petunia	Seed	C
223.a		<i>Petunia</i> spp.	Petunia	Flower Head	C
223.b		<i>Petunia</i> spp.	Petunia	Whole Plant	C
224.a		<i>Phlox drumondii</i>	Phlox	Flower	C
224.b		<i>Phlox drumondii</i>	Phlox	Seed	C
225.a		<i>Rosa damascena</i>	Damask Rose	Flower	C
225.b		<i>Rosa damascena</i>	Damask Rose	Petals	C
226.a		<i>Rosa</i> hybrid	Rose	Flower	C
226.b		<i>Rosa</i> hybrid	Rose	Petals	C
227.		<i>Tagetes</i> spp.	Marigold	Flower head	C
228.a		<i>Tropaeolum majus</i>	Nasturtium	Flower	C
228.b		<i>Tropaeolum majus</i>	Nasturtium	Seed	C
229.a		<i>Strelitzia</i> spp.	Bird of paradise	Flower	C

229.b		Strelitzia spp.	Bird of paradise	Whole Plant	C
230.a		Verbena hybrida	Verbena	Flower	C
230.b		Verbena hybrida	Verbena	Seed	C
231.a		Polianthes tuberosa	Tuberose/ Rajnigandha	Flower	C
231.b		Polianthes tuberosa	Tuberose/ Rajnigandha	Seed	C
232.		Dianthus caryophyllus	Carnation/ Clove Pink	Flower	C
233.a		Callistephus chinensis	Aster/ China Aster	Flower	C
233.b		Callistephus chinensis	Aster/ China Aster	Seed	C
	XIX. Medicinal Plants (incl. medicinal crops and aromatic plants)				
234		Abelmoschus moschatus	Mushkdana	Seed	C
235.a		Acacia nilotica	Babul	Leaf	M
235.b		Acacia nilotica	Babul	Gum	M
235.c		Acacia nilotica	Babul	Bark	C
236.a		Achyranthes aspera	Apamarga	Whole Plant	M
236.b		Achyranthes aspera	Apamarga	Fruit	M
236.c		Achyranthes aspera	Apamarga	Root	M
237.		Acorus calamus	Vach	Rhizome	C
238.		Aloe vera	Aloe	Leaf	C
239.		Alpinia calcarata	Aratha	Rhizome	C
240.a		Alternanthera sessilis	Matsyakshi	Aerial part	M
240.b		Alternanthera sessilis	Matsyakshi	Whole Plant	C
241.		Ammi majus	Bishop's weed	Fruit	C
242.a		Artemisia annua	Afsanteen	Aerial part	C
242.b		Artemisia annua	Afsanteen	Whole Plant	C
243.a		Artemisia nilgirica	Davana	Flower	C
243.b		Artemisia nilgirica	Davana	Whole Plant	C
244.a		Artemisia pallens	Dhavanam	Leaf	C
244.b		Artemisia pallens	Dhavanam	Flower	C
245.a		Atropa belladonna	Belladonna	Leaf	C
245.b		Atropa belladonna	Belladonna	Root	C
246.a		Azadirachta indica	Neem	Leaf	C
246.b		Azadirachta indica	Neem	Fruit	M
247.		Bacopa monnieri	Nirbrahmi	Whole Plant	M
248.		Basella alba	Indian saag	Leaf	C
249.a		Boerhavia diffusa	Punarnava	Root	M
249.b		Boerhavia diffusa	Punarnava	Whole Plant	M
250.		Brassica nigra	Sarso	Seed	C
251.		Caesalpinia sappan	Pathimukham	Heart wood	C
252.		Calotropis gigantea	Akh phool	Flower	M
253.a		Calotropis procera	Akh	Leaf	M
253.b		Calotropis procera	Akh	Latex	M
254.a		Cassia fistula	Amalthasphali	Flower	M
254.b		Cassia fistula	Amalthasphali	Fruit	M
254.c		Cassia fistula	Amalthasphali	Bark	C
255.a		Cassia tora	Chakoda Beeja	Fruit	M
255.b		Cassia tora	Chakoda Beeja	Seed	M
255.c		Cassia tora	Chakoda Beeja	Leaf	M
256.a		Catharanthus roseus	Sadabahar	Root	C
256.b		Catharanthus roseus	Leaf	Leaf	C
257.a		Centella asiatica	Brahmi	Leaf	M
257.b		Centella asiatica	Brahmi	Whole Plant	M
258.a		Cephalis ipecacuanha	Ipecac	Root	C

258.b		<i>Cephalis ipecacuanha</i>	Ipecac	Rhizome	C
259.		<i>Cestrum diurnum</i>	Din ka raja	Leaf	C
260.		<i>Chlorophytum borivilianum</i>	Musali	Root tuber	C
261.		<i>Chrysanthemum parthenium</i>	Fewer few	Leaf	C
262.		<i>Chrysopogon zizanioides</i>	Khuskhus, Usira	Root	C
263.a		<i>Cichorium intybus</i>	Kasani	Seed	C
263.b		<i>Cichorium intybus</i>	Kasani	Flower	C
263.c		<i>Cichorium intybus</i>	Kasani	Leaf	C
264.		<i>Cissus quadrangularis</i>	Hathajodi	Stem	M
265.a		<i>Citrullus colocynthis</i>	Indrayan	Fruit	M
265.b		<i>Citrullus colocynthis</i>	Indrayan	Root	M
266.		<i>Croton tiglium</i>	Jamal Ghotra	Seed	C
267.		<i>Curcuma angustifolia</i>	Arrow Root/Tikhur	Rhizome	C
268.		<i>Curcuma zedoaria</i>	Kachur	Rhizome	C
269.		<i>Cuscuta reflexa</i>	Amar bel	Whole Plant	M
270.		<i>Cymbopogon citratus</i>	Lemongrass	Leaf	M
271.		<i>Cymbopogon flexuosus</i>	Lemon Grass/ Citronella/ Gavati Chaha	Whole Plant	C
272.a		<i>Cymbopogon martinii</i>	Palmarosa/ Gingergrass	Flower Head	C
272.b		<i>Cymbopogon martinii</i>	Palmarosa/ Gingergrass	Leaf	M
272.c		<i>Cymbopogon martinii</i>	Palmarosa/ Gingergrass	Stem	C
273.		<i>Cymbopogon winterianus</i>	Citronella	Leaf	C
274.		<i>Cyperus rotundus</i>	Nagarmotha	Root	M
275.		<i>Cyperus scariosus</i>	Nagarmotha	Root	M
276.a		<i>Digitalis lanata</i>	Foxglove/Hritapatari/ Austrian Digitalis	Pods	C
276.b		<i>Digitalis lanata</i>	Foxglove/Hritapatari/ Austrian Digitalis	Whole plant	C
276.c		<i>Digitalis lanata</i>	Foxglove/Hritapatari/ Austrian Digitalis	Seed	C
277.		<i>Dioscorea floribunda</i>	Yam	Root	C
278		<i>Eclipta prostrata</i>	Bhringaraj	Whole Plant	M
279.a		<i>Eucalyptus citriodora</i>	Eucalyptus	Leaf	C
279.b		<i>Eucalyptus citriodora</i>	Eucalyptus	Wood	C
280.a		<i>Eucalyptus globulus</i>	Eucalyptus	Leaf	C
280.b		<i>Eucalyptus globulus</i>	Eucalyptus	Wood	C
281.		<i>Evolvulus alsinoides</i>	Sankhapushpi	Whole Plant	M
282.a		<i>Glaucium flavum</i>	Sea Poppy/ Horn Poppy	Leaf	C
282.b		<i>Glaucium flavum</i>	Sea Poppy/ Horn Poppy	Flower	C
282.c		<i>Glaucium flavum</i>	Sea Poppy/ Horn Poppy	Seed	C
283.a		<i>Gloriosa superba</i>	Kalihari	Root	C
283.b		<i>Gloriosa superba</i>	Kalihari	Seed	C
284.a		<i>Glycyrrhiza glabra</i>	Athimadhuram/Mulathi/ Liquorice	Root	C
284.b		<i>Glycyrrhiza glabra</i>	Athimadhuram/Mulathi/ Liquorice	Stem	C
285.		<i>Hedychium coronarium</i>	Kachur	Rhizome	C
286.		<i>Hedychium spicatum</i>	Kapurkachri	Rhizome	C
287.a		<i>Hibiscus rosa-sinensis</i>	Hibiscus	Flower	C
287.b		<i>Hibiscus rosa-sinensis</i>	Hibiscus	Root	C
288.		<i>Hyoscyamus muticus</i>	Henbane	Leaf	C
289.		<i>Indigofera tinctoria</i>	Black Henna/ Neel/Amari	Leaf	C
290.		<i>Inula racemosa</i>	Pushkarmool	Root	C
291.		<i>Jatropha curcas</i>	Nepalam/ Ratanjot	Seed	C
292.		<i>Justicia adhatoda</i>	Vasaka	Leaf	C

		(syn. <i>Adhatoda zeylanica</i>)			
293.		<i>Kaempferia galangal</i>	Kachora	Rhizome	C
294.		<i>Lawsonia inermis</i>	Henna/Mehndi	Leaf	C
295.		<i>Lepidium sativum</i>	Chansar/ Aali	Seed	C
296.		<i>Leptadenia reticulata</i>	Dhoodabhel	Stems	C
297.		<i>Leucas aspera</i>	Drona pushpi	Whole Plant	M
298.		<i>Mentha arvensis</i>	Field Mint/Pudina	Leaf	C
299.		<i>Mentha piperata</i>	Mint	Leaves	C
300.		<i>Mentha spicata</i>	Pudina/Spearmint	Leaf	C
301.		<i>Morus alba</i>	Mulberry	Leaves	C
302.a		<i>Nerium indicum</i>	Kaner	Leaf	M
302.b		<i>Nerium indicum</i>	Kaner	Root	C
302.c		<i>Nerium indicum</i>	Kaner	Bark	C
303.		<i>Ocimum basilicum</i>	Tulasi	Whole plant	C
304.a		<i>Ocimum tenuiflorum</i>	Black Tulasi	Leaf	C
304.b		<i>Ocimum tenuiflorum</i>	Black Tulasi	Aerial parts	C
305.a		<i>Oreganum majorana</i>	Marjoram	Leaf	C
305.b		<i>Oreganum majorana</i>	Marjoram	Whole Plant	C
306.		<i>Papaver somniferum</i>	Opium Poppy / Gasagase	Seed/ Seed coat	C
307.		<i>Pedaliium murex</i>	Bada gokhru	Fruit	M
308.a		<i>Pelargonium graveolens</i>	Geranium Rose	Leaf	C
308.b		<i>Pelargonium graveolens</i>	Geranium Rose	Flower	C
309.		<i>Phyllanthus amarus</i>	Bhumi amla	Whole Plant	M
310.		<i>Piper betel</i>	Betel Leaf	Leaf	C
311.a		<i>Piper longum</i>	Pippali / long pepper	Fruit	C
311.b		<i>Piper longum</i>	Pippali / long pepper	Root	C
311.c		<i>Piper longum</i>	Pippali / long pepper	Stem	C
312.a		<i>Plantago ovata</i>	Isabgul	Husk	C
312.b		<i>Plantago ovata</i>	Isabgul	Seed	C
313.a		<i>Plectranthus barbatus</i> (Syn. <i>Coleus forskohlii</i>)	Indian Coleus	Leaf	C
313.b		<i>Plectranthus barbatus</i> (Syn. <i>Coleus forskohlii</i>)	Indian Coleus	Root	C
314.		<i>Pogostemon cablin</i>	Patchouli	Whole plant	C
315.		<i>Pongamia pinnata</i>	Karanj	Seed	M
316.a		<i>Rosemarianus officinalis</i>	Rosemary	Leaf	C
316.b		<i>Rosemarianus officinalis</i>	Rosemary	Aerial parts	C
317.		<i>Salvadora persica</i>	Meswak	Stem	C
318.		<i>Senna alexandrina</i>	Senna	Leaf	C
319.a		<i>Sida cordifolia</i>	Bala	Root	M
319.b		<i>Sida cordifolia</i>	Bala	Fruit	M
319.c		<i>Sida cordifolia</i>	Bala	Seed	M
319.d		<i>Sida cordifolia</i>	Bala	Whole Plant	M
320.a		<i>Silybum marianum</i>	Milk Thistle	Leaf	C
320.b		<i>Silybum marianum</i>	Milk Thistle	Seed	M
321.a		<i>Simmondsia chinensis</i>	Jojoba	Seed	C
321.b		<i>Simmondsia chinensis</i>	Jojoba	Seed	C
322.a		<i>Solanum nigrum</i>	Kakamachi	Fruit	M
322.b		<i>Solanum nigrum</i>	Kakamachi	Root	M
322.c		<i>Solanum nigrum</i>	Kakamachi	Whole Plant	M
323.a		<i>Solanum laciniatum</i>	Kangaroo apple	Leaf	C
323.b		<i>Solanum laciniatum</i>	Kangaroo apple	Flower	C
323.c		<i>Solanum laciniatum</i>	Kangaroo apple	Seed	C
324.a		<i>Solanum pubescens</i>	Sundai kaai	Leaf	M
324.b		<i>Solanum pubescens</i>	Sundai kaai	Fruit	M

325.a		<i>Solanum viarum</i>	Tropical Soda Apple	Root	C
325.b		<i>Solanum viarum</i>	Tropical Soda Apple	Flower	C
325.c		<i>Solanum viarum</i>	Tropical Soda Apple	Fruit	C
326.a		<i>Solanum xanthocarpum</i>	Kateli	Fruit	M
326.b		<i>Solanum xanthocarpum</i>	Kateli	Whole Plant	M
327.a		<i>Sphaeranthus indicus</i>	Gorak mundi	Whole Plant	M
327.b		<i>Sphaeranthus indicus</i>	Gorak mundi	Inflorescence	M
328.		<i>Stevia rebaudiana</i>	Stevia	Leaves	C
329.a		<i>Tephrosia purpurea</i>	Sarad foka	Leaf	M
329.b		<i>Tephrosia purpurea</i>	Sarad foka	Root	M
329.c		<i>Tephrosia purpurea</i>	Sarad foka	Seed	M
329.d		<i>Tephrosia purpurea</i>	Sarad foka	Fruit	M
330.a		<i>Terminalia catappa</i>	Jungli badam	Seed	M
330.b		<i>Terminalia catappa</i>	Jungli badam	Fruit	M
330.c		<i>Terminalia catappa</i>	Jungli badam	Leaf	M
331.a		<i>Thespesia populnea</i>	Parisha	Leaf	M
331.b		<i>Thespesia populnea</i>	Parisha	Fruit	M
332.a		<i>Thymus vulgaris</i>	Thyme /Ban Jawain	Leaf	C
332.b		<i>Thymus vulgaris</i>	Thyme /Ban Jawain	Seed	C
333.a		<i>Tinospora cordifolia</i>	Amirthavalli	Stem	C
333.b		<i>Tinospora cordifolia</i>	Amirthavalli	Whole Plant	C
334.		<i>Trachyspermum ammi</i>	Ajjwain	Seed	C
335.		<i>Tribulus terrestris</i>	Gokshura	Fruit	M
336.		<i>Vinca minor</i>	Periwinkle	Leaf	M
337.a		<i>Vitex negundo</i>	Karinochi/ Neergundi	Leaf	C
337.b		<i>Vitex negundo</i>	Karinochi/ Neergundi	Seed	M
338.		<i>Vitex trifolia</i>	Nekki	Leaf	M
339.		<i>Withania somnifera</i>	Ashwagandha	Root	C
340.		<i>Woodfordia fruticosa</i>	Daiphool	Flower	M
341.		<i>Ziziphus jujuba</i>	Jujuba	Fruit	M
	XX. Spice crops				
342.		<i>Alpinia galanga</i>	Greater Galanga/ Kulanjan	Rhizome	C
343.		<i>Amomum subulatum</i>	Cardamom (Large), Badi ilyachi	Seed	C
344a.		<i>Anethum graveolens</i>	Dill/Sowa	Leaf	C
344b.		<i>Anethum graveolens</i>	Dill/Sowa	Seed	C
345.		<i>Apium graveolens</i>	Celery/Ajmod	Whole plant	C
346.		<i>Capsicum annuum</i>	Capsicum/Chili peppers	Fruit	C
347.		<i>Capsicum frutescens</i>	Bird's Eye (Chilli)	Fruit	C
348.		<i>Carum carvi</i>	Caraway	Fruit	
349.		<i>Cinnamomum cassia</i>	Cassia	Bark	C
350.a		<i>Cinnamomum tamala</i>	Tejpat/Bay Leaf	Bark	C
350.b		<i>Cinnamomum tamala</i>	Tejpat/Bay Leaf	Leaf	C
351.		<i>Cinnamomum verum</i>	Cinnamon/ Dalchini	Bark	C
352.		<i>Coriandrum sativum</i>	Coriander/ Dhaniya	Whole plant	C
353.a		<i>Crocus sativus</i>	Saffron	Flower head	C
353.b		<i>Crocus sativus</i>	Saffron	Stigma	C
354.		<i>Cuminum cyminum</i> (Syn. <i>Cuminum odorum</i>)	Cumin/Jeera	Seed	C
355.		<i>Curcuma longa</i>	Turmeric/Haldi	Rhizome	C
356.a		<i>Elettaria cardamomum</i>	Cardamom (Small)/Elachi	Fruit	C
356.b		<i>Elettaria cardamomum</i>	Cardamom (Small)/Elachi	Seed	C

357.		<i>Foeniculum vulgare</i>	Fennel/ Badi/Moti Saunf	Fruit	C
358.		<i>Murraya koenigii</i>	Curry Tree/Curry Leaves/Karipatha	Leaf	C
359.a		<i>Myristica fragrans</i>	Nutmeg/Mace/ Jaibhal	Aril	C
359.b		<i>Myristica fragrans</i>	Nutmeg/Mace/ Jaibhal	Fruit	C
360.		<i>Nigella sativa</i>	Black Cumin/Mamgarail/ Kalonji	Seed	C
361.a		<i>Pimenta dioica</i>	Allspice/Pimento/ Jamaica Pepper	Fruit	C
361.b		<i>Pimenta dioica</i>	Allspice/Pimento/ Jamaica Pepper	Leaf	C
362.		<i>Pimpinella anisum</i>	Aniseed	Seed	C
363.		<i>Piper nigrum</i>	Kali Mirch/Black Pepper/ Mirch	Fruit	C
364.		<i>Syzygium aromaticum</i>	Clove/Laung	Flower bud	C
365.		<i>Tamarindus indica</i>	Tamarind/Imli	Fruit	C
366.		<i>Trachyspermum ammi</i>	Ajwain /Carum/Ajowain	Seed	C
367.a		<i>Trigonella foenum-graecum</i>	Fenugreek/Methi	Leaf	C
367.b		<i>Trigonella foenum-graecum</i>	Fenugreek/Methi	Seed	C
368.a.		<i>Vanilla planifolia</i> (Syn. <i>Vanilla fragrans</i>)	Vanilla	Pod	C
368.b.		<i>Vanilla planifolia</i> (Syn. <i>Vanilla fragrans</i>)	Vanilla	Leaf	C
369.		<i>Zingiber officinale</i>	Ginger/ Adrak	Rhizome	C
	XXI. Plantation Crops				
370.a		<i>Anacardium occidentale</i>	Cashew	Fruit	C
370.b.		<i>Anacardium occidentale</i>	Cashew	Nut(Seed)	C
371.		<i>Areca catechu</i>	Betel Tree/Supari	Arecanut	C
372.		<i>Borassus flabellifer</i>	Palmyra Palm/ Toddy Palm/tad	Fruit	C
373.		<i>Camellia sinensis</i>	Tea	Leaf	C
374.a		<i>Cocos nucifera</i>	Coconut Palm	Plant	C
374.b		<i>Cocos nucifera</i>	Coconut Palm	Fruit	C
374.c		<i>Cocos nucifera</i>	Coconut Palm	Root	C
375.a		<i>Coffea arabica</i>	Coffee	Seed	C
375.b.		<i>Coffea arabica</i>	Coffee	Bean	C
376.a		<i>Coffea canephora</i>	Coffee	Seed	C
376.b		<i>Coffea canephora</i>	Coffee	Bean	C
377.a		<i>Elaeis guineensis</i>	Palm	Fruit	C
377.b		<i>Elaeis guineensis</i>	Palm	Kernel	C
377.c		<i>Elaeis guineensis</i>	Palm	Seed	C
378.a		<i>Hevea brasiliensis</i>	Rubber	Latex	C
378.b		<i>Hevea brasiliensis</i>	Rubber	Seed	C
378.c		<i>Hevea brasiliensis</i>	Rubber	Wood	C
379.a		<i>Theobroma cacao</i>	Cocoa	Leaf	C
379.b		<i>Theobroma cacao</i>	Cocoa	Flower	C
379.c		<i>Theobroma cacao</i>	Cocoa	Fruit	C
379.d		<i>Theobroma cacao</i>	Cocoa	Seed	C
	XXII. Mushrooms				
380.		<i>Agaricus bisporus</i>	Button mushroom	Whole Plant	C
381.		<i>Auricularia auricula-judae</i>	Wood ear	Whole Plant	C
382		<i>Auricularia polytricha</i>	Hairy Wood ear	Whole Plant	C
383.		<i>Pleurotus ostreatus</i>	Dhingri	Whole Plant	C
384.		<i>Tremella mesenterica</i>	Golden Jelly	Whole Plant	C

385.		Tremella fuciformis	White Jelly	Whole Plant	C
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Notes

1. This notification is to facilitate trade of items including biological resources which are normally traded as commodities and if any of these items is intended to be used for any other purpose, the relevant provisions of the aforesaid Act shall apply.
2. The products that are derived from the items listed in the Table above and traded as a matter of common practice shall also be treated as normally traded as commodities and in such cases, the onus of substantiation that the said products fall within common practice, shall lie on the claimant.
3. This notification shall not apply to the wild relatives of cultivated species (biological resources).
4. The source (S) of above mentioned biological resources shall be declared for cultivated or mixed category (cultivated+wild=M) by the manufacturer or exporting agency before the National Biodiversity Authority in the Form appended to this notification.
5. Categorisation of biological resources listed above as medicinal plants, fiber crops, forage crops and green manures are for illustrative purpose only and the biological resource mentioned under one use category may fall under other use category also.
6. For the purpose of application of this notification, the scientific names of the biological resources given in column (3) of the Table above shall be applicable.

Form

(See Note 4)

To

1. Goods consigned from (Exporters/Manufacturers - Business name and address, Registration No., PAN number, Mobile No., e-mail ID and IE Code)				6. For Official use	
2. Goods consigned to (Consignee's Name, Address, Country)					
3. Details of trade order received					
4. Means of transport and route(as far as known)					
5. Name of port (If exported) (a) In India (b) In importing country					
7. Indian Trade Classification-Harmonised System Code (ITC-HS) (where available)	8. Sl.No. Normally Traded as Commodities _____ in notification No. _____ dated _____ of Ministry of Environment, Forest and Climate change	9. Illustrative trade or common name.	10. Name of the biological resource preferably scientific name.	11. Plant part	12. End use (Medicinal/ Spices/ Horticultural/ Aromatic/Food/ Others (please specify)

13. Number and kind of packages: description of commodities	14. Source {Cultivated or Cultivated+Wild= Mixed (M)}	15. Weight (in kgs.)	16. Gross value (in Rs.)	17. Invoice number and date
<p>18. Declaration by the Exporter/Manufacturer</p> <p>The undersigned hereby declares that the above details and statements are correct. The said material/ biological resources were produced in/procured from</p> <p>.....</p> <p>(Place/Village/Tehsil/Mandal/District/State)</p> <p>and that they comply with the source requirements and are being exported to</p> <p>.....</p> <p>(Address of importing firm and country)</p> <p>.....</p> <p>I hereby solemnly affirm and declare that the information provided here is true and correct and I shall be liable for any misinformation provided herein.</p> <p>Place and date, signature of the Exporter/Manufacturer</p> <p>Copy to: National Biodiversity Authority, 5th Floor, TICEL Bio Park, CSIR Road, Taramani, Chennai - 600 113.</p>				

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