

*Procedure for access to collection of Biological
Resources for certain purposes*

Section 16 of Kerala Biological Diversity Rules 2008

16. Procedure for access to collection of biological resources for certain purposes – (1) Every persons, other than a person referred to in sub-section (2) of Section 3 of the Act seeking approval of the Board for access to collection of biological resource for commercial utilization or bio-survey and bio-utilization for commercial utilization shall make an application in Form 1 to the Board. Every application shall be accompanied by a fee of Rs. 1,000(Rupees One Thousand only) for commercial utilization, and shall be in the form of a Demand Draft or a cheque drawn in favour of the Chairperson payable at the head office of the Board. The access to the bio resources shall be as per the guidelines issued by the Board from time to time.

SCHEDULE

Form I

(See Rule 16)

APPLICATION FORM FOR ACCESS TO OR COLLECTION OF BIOLOGICAL RESOURCES FOR COMMERCIAL UTILIZATION AND ASSOCIATED TRADITIONAL KNOWLEDGE

PART A

1	Full particulars of the applicant	
	(i) Name	
	(ii) Permanent Address	
	(iii) Address of the contact person/ agent, if any in India	
	(iv) Profile of the organization (personal profile in case the applicant is an individual). Please attach relevant documents of authentication.	
	(v) Nature of business	
	(vi) Turnover of the organization in rupees	
2	Details and specific information about nature of access sought and biological material and/or associated knowledge to be accessed:	
	(i) Identification (scientific name) of biological resources and its traditional use	
	(ii) Geographical location (including Grama Panchayat, Janpad and District) of the proposed collection	
	(iii) Description/nature of traditional knowledge and its existing manifestations and uses(oral/ documented)	

	(iv) Any identified individual/family / community holding the traditional knowledge	
	(v) Quantity of biological resources to be collected	
	(vi) Time span in which the biological resources are proposed to be collected	
	(vii) Name the number of persons authorized by the company for making the selection	
	(viii) The purpose for which the access is requested including the type and extends of research, commercial use being derived and expected to be derived from it	
	(ix) Whether any collection or use of the resource endangers any component of biological diversity and the risks which may arise from the access	
3	Estimation of benefits that would flow to communities arising out of the use of accessed bioresearches and traditional knowledge	
4	Proposed mechanism and arrangements for benefit sharing	
5	Any other relevant information	

PART B

DECLARATION

I/We declare that the collection and use of the proposed biological resources shall not :

- Adversely affect the sustainability of the resources;
- Entail any environmental impact;
- Pose any risk to biodiversity, including ecosystem, species and genetic diversity;
- Adversely affect the local communities.

I/We undertake to pay any fee and/or royalty, as may be levied by the Board or Biodiversity Management Committees. I/We further undertake to furnish any irrevocable bank guarantee, as may be prescribed by the Board.

I/We further declare the information provided in the application form is true and correct and I/We shall be responsible for the accuracy.

Place:

Signature of the Applicant

Date:

Name of the Applicant

FORM A
(See regulation 2)

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

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.

Signature
Name of the trader/ company/manufacturer/ Authorized Representative
Complete Address of the trader/ company/ manufacturer along with phone number
and email address

Place
Date