

NOTICE FOR COMPLIANCE

Assam State Biodiversity Board: Guwahati

1. It is hereby brought to the notice of all concerned that under Section 7 of the Biological Diversity Act, 2002, "No person, who is a citizen of India or a body corporate, association or organisation which is registered in India, shall obtain any biological resource for commercial utilisation, or bio-survey and bio-utilisation for commercial utilisation 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 vaid and hakims, who have been practising indigenous medicine.
2. As per Sections 7 & 24 of the Biological Diversity Act, 2002, read with Rule 18.1 of the Assam Biodiversity Rules, 2010, such prior intimation is required to be given in the prescribed format along with a fee of Rs. 1,000/- through the online ABS portal www.asbb.projectassam.in, (or) by filling up the prescribed form (Format-I & Form-A) along with a Demand Draft for Rs 1,000/- drawn on any nationalized bank payable at Guwahati in favour of 'Assam State Biodiversity Board'. The hard copy of the filled up application forms (**Format-I & Form A**) along with the required documents may be submitted or sent via post to 'The Member Secretary, Assam State Biodiversity Board, Aranya Bhawan, 2nd floor, Panjabari, Guwahati-781037. The envelope containing the documents must be sealed properly and must be super-scribed with '**Application for access to biological resources for commercial utilization**' along with full postal address and contact details of the applicant.
3. As per Sections 24 of the Biological Diversity Act, 2002, read with Rule 18.2 of the Assam Biodiversity Rules, 2010, on receipt of an intimation, the Assam State Biodiversity Board may, in consultation with the local bodies concerned and after making such enquiries as it 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. No order of restriction/prohibition shall be passed without giving reasonable opportunity of being heard to the affected person.
4. The '**Access & Benefit Sharing**' (ABS) amount is calculated on the basis of the access and benefit sharing regulations/guidelines 2014 notified by National Biodiversity Authority (NBA) / Govt. of India on 21.11.2014 named as '**Guidelines on Access to Biological Resources and associated knowledge and Benefit Sharing Regulations, 2014**'. (Notified by NBA in exercise of its powers conferred under Section 21.4 of the Act)

5. The mode of Benefit Sharing for access to biological resources for commercial utilization or for bio-survey and bio-utilization for commercial utilization as per Regulation-3 of Guidelines on Access to Biological Resources and associated knowledge and Benefit Sharing Regulations, 2014 has been elaborated in the 'Standard Operating Procedure' (SoP) for commercial users of biological resources in Assam.
6. The **Standard Operating Procedure (SoP)** for commercial users of 'Biological Resources' for Access & Benefit Sharing (ABS) in Assam is available for download in the www.asbb.gov.in (Whats new Section)

Exemptions: Biological resources normally traded as commodities (See www.asbb.gov.in, Go to - Activities window - Access and Benefit Sharing Tab)

Concerned Parties (Traders/Firms/Companies/Industries/Organizations etc) operating in Assam, both resident and from other states are hereby informed to seek approval of the Assam State Biodiversity Board for access to biological resources for commercial utilization by giving 'Prior Intimation' as described in para-2 above. The details of the bioresources to be accessed must be clearly entered in the format provided in the online form in the **ABS Portal** (or) in **Form A**, for application submitted through offline mode. The datasheet of biological resources access/collected for commercial utilization may be updated at the time of renewal of permission annually or on need basis.

Therefore, parties accessing the biological resources in Assam are hereby notified to strictly comply with the above legal provisions **within a three (3) month period from the date of issue of this notification**, failing which penal action will be initiated against the violators under Sections 55, 56 & 57 of the Biological Diversity Act, 2002, and the Assam Biodiversity Rules, 2010.

Guwahati




Member Secretary
Assam State Biodiversity Board