

Chapter -2

Guidelines for Operationalization of Biodiversity Management Committees (BMCs)

**National Biodiversity Authority (NBA) Chennai
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Guidelines for Operationalization of Biodiversity Management Committees (BMCs)

SECTION I: OPERATIONAL ASPECTS

1.1 Role of SBBs, Institutions and Civil Society in the formation of BMCs

The process of BMC formation would involve all the stakeholders in the gram sabha including tribal groups and other marginalized communities to ensure an effective consultative process to meet the requirements of the state and local conditions.

BMC formation can possibly be mediated through institutions or civil society organizations or Technical Support Groups (TSGs). Potential areas rich in biodiversity and locations where there is popular interest or support should be identified and BMCs established. Technical Support Groups can extend all possible help in identification, formation and operationalization of BMCs.

The State Biodiversity Boards may require a percentage of the funds earmarked for the establishment of each BMC. This may include costs incurred by the SBBs in involving civil society organizations and TSGs in identifying potential areas for BMC formation.

The local body shall make efforts to integrate BMCs to other village level committees related to natural resources management.

1.2. Integration of BMCs to other village level committees related to natural resource management

The BMC will be constituted by the local body with members of the Participatory forest/natural resources management committees members, including from members of horticulture/voids/foot botanists/tribal heads., etc., based on the local conditions. The SBB should issue suggestive list of persons to be included in the BMC. The representation may be flexible to meet the local requirements.

The Biodiversity Management Committee may also draw its members from amongst the existing committees which have been formed under statutory powers/administrative orders of the respective Governments.

1.3 Time period for operationalization

Once a BMC is formed, its operation should commence immediately and a set of tasks completed in a period of 12 months. Any, unspent part of the startup BMC fund may be utilized at a later date. BMCs may be authorized to retain up to 50% of the sanctioned grant amount and make use of the interest for conducting their activities.

1.4 Office of the BMC

The BMC will function from the office premises to be provided by the local body.

1.5 Tenure of the BMC

The tenure of the BMC will be five years / co terminus with the tenure of the local body however, the existing BMC will continue to operate, until a new committee is constituted.

1.6 Methodology of BMC Startup Fund Release

Each State Biodiversity Board shall arrive at a realistic number of BMCs to be established in the state based on biodiversity rich areas and socially conscious areas. The National Biodiversity Authority (NBA) on its part shall release the amount requested by the State Biodiversity Boards (SBBs). The SBBs are advised to release the amount to each BMC in instalments (2 – 4 instalments) after obtaining either a Statement of Expenditure and an Utilisation Certificate (UC). No copies of bills should be insisted upon by the SBBs

No.	Item	Village Level BMC Rs.	Block level BMC Rs.	District level BMC Rs.
1.	On opening of Bank account	10,000	13,344	16,600
2.	Purchase of Office equipment including stationary	15,000	20,000	25,000
3.	Conduct of meetings (2meetings in a year)	3,000	4,000	5,000
4.	One training to BMC and Panchayat general BD profile	7,000	9,328	11,740
5.	Formation of BMC	25,000	33,328	41,660
	Start up Fund (Total)	60,000	80,000	1,00,000

1.7 Roles and Functions of the BMCs

The BMCs would, in addition to the preparation of the People's Biodiversity Register (PBR), participate in ensuring:

- Conservation and sustainable utilization of biological resources
- Eco restoration of the local biodiversity
- Proper feedback to the SBB in the matter of IPR, Traditional Knowledge and local Biodiversity issues, wherever feasible and essential feedback to be provided to the NBA.
- Management of Heritage Sites including Heritage Trees, Animals/ Micro organisms etc., and Sacred Groves and Sacred Water bodies.
- Regulation of access to the biological resources and/ or associated Traditional Knowledge, for commercial and research purposes.
- Sharing of usufructs arising out of commercial use of bio resources
- Conservation of traditional varieties/breeds of economically important plants/animals.
- Biodiversity Education and Awareness building.
- Documentation, enable procedure to develop bio cultural protocols.
- Sustainable Use and Benefit Sharing.
- Protection of Traditional Knowledge recorded in PBR

1.8 Meetings of BMCs

BMC shall hold a minimum of 4 meetings in a year, and meet once at least in every 3 months.

The meetings shall be chaired by the Chairperson of the BMC, and in his/her absence, by any other member elected by the members present.

The quorum at every meeting shall be three including the chairperson and excluding official members.

1.9 Minutes of the BMC Meetings

Minutes/proceedings of the BMC Meetings will be drawn and submitted to the Local Body / District Nodal Officer. The SBB shall provide a format for drafting of minutes of the meetings, maintenance of meeting registers and alike, lay down the procedures for updating the registers & record of discussions, resolutions made, audit etc., which would facilitate Process Documentation at the BMC level (Annexure 7).

1.10 BMC Action Plan

Each BMC shall prepare an Action Plan, drawing information validated in the People's Biodiversity Register. The Technical Support Group (TSG) shall guide in the preparation of the action plan. The Action Plan may include in addition to the steps outlined for conservation of the bio resources, the training needs identified for the personnel of the BMC and the list of potential items for consideration for registration as Geographical Indicators (G.I).

To draw a management micro plan for the sustainable use of local biodiversity including medicinal plants and associated traditional knowledge.

1.11 Capacity Building on BD Act and BMCs

Awareness Building on Biological Diversity Act 2002, its scope and implications with issues specific to operation of Biodiversity Management Committees (BMCs), may include:

Awareness building on the Biodiversity Act 2002, the role of Biodiversity Management Committees, the procedures, the role of BMCs with various associated departments of the Government such as Forests, Environment, Tribal Welfare, Rural Development, Agriculture, Horticulture, Animal Husbandry, Fisheries and Aquaculture, Poultry, Health, Local systems of Medicine, Education etc.

- a) Awareness building on the Acts, Rules and Institutions pertaining to the Conservation of Biodiversity at large.
- b) Capacity Building at various levels of Government and Non Governmental Agencies including the elected representatives at State, District and Local levels.
- c) Capacity Building and Skill development of BMC members as identified by SBB. The areas of skill building may include:
 - Preparation of PBR
 - Administrative procedures of BMC
 - Maintenance of accounts/audit.
 - Intellectual Property Issues.
 - Access and Benefit Sharing issues.
 - Levy of fees.
 - Preparation of Action Plan, Project Report, Annual Report.
 - All Acts and Rules pertaining to Biodiversity
 - Management of Biodiversity Heritage Sites

SECTION II FINANCIAL ASPECTS

2.1 Financial Resources for BMCs

BMCs shall generate funds through the following modes:

- a) Receipts (grants and loans) from NBA, SBB and State Government. In addition, BMCs may access funds from various sources including raising donations, line departments of Government of India and state governments, other Central and State Boards, institutions and corporate bodies.
- b) Receipts from fee, license fee, levies, royalties and other receipts. For purpose of transparency, monitoring and follow up, each BMC shall maintain bank accounts separately for both categories of receipts.

2.2 Funding BMCs and maintenance of their accounts

The State Government on the recommendation of the SBB shall designate Nodal officers for each of the districts to oversee the various matters of the BMC. An officer from appropriate line department relevant to the local conditions may be appointed as Nodal Officer, who will report to the SBB.

BMC should draw a plan of Action for accessing resources from various sources such as – NBA, SBB, Grants, Donations, Various line departments of Government of India and the State Governments, other Central and State Boards, Institutions, Corporate Bodies etc.,

Start up funds may be obtained from the NBA, SBB. The state government may make appropriate provision in the budget for funding SBBs and provide financial support through SBBs to the BMCs.

The SBB shall facilitate the BMC to open a Bank Account with an Enabling Letter that BMC have been formed in accordance with The Biological Diversity Act, 2002.

The SBB shall fund the BMC directly and the concerned district level Nodal officer/ the DFO /District Administration/ Zilla parishad shall be duly informed. The Utilization Certificate (UC) along with the Statement of Expenditure should be submitted to the SBB. The BMC would give Utilization Certificate (UC) to the appropriate authority from whom they received the Funds /NBA/SBB etc., as required.

All the funds of the BMC will be operated jointly by the Chairperson and the Secretary of the BMC.

The Secretary of the BMC will maintain the accounts of the BMC. The accounting procedures will be drawn up and format for the maintenance of the accounts will be provided by the SBB. The SBB will also draw a check list to ensure that there is proper maintenance and submission of accounts.

The accounts would be audited annually by an Auditor specially appointed for the purpose and after being passed by the BMC will be given to the local body and the SBB.

The members of the BMC and the Secretary of the BMC should be trained and educated on the procedure for giving Utilization certificate (UC) and accounting procedures including preparation of Annual Report and utilization of the resources in accordance with the Action Plan drawn up by the BMC, prioritizing the conservation of the local biodiversity.

The State Governments upon the recommendation of the SBB shall provide adequate fund and support staff at Nodal/district levels, to carry out the implementation of the Act, keeping in view the priorities and importance of the regional issues. Such funds may be routed through the SBB.

2.3 Custody of funds

The funds of the BMCs will be kept in a bank account. The custody of the funds of the BMC is the responsibility of the person belonging to the permanent establishment like local / district administration and will take necessary steps for safeguarding during receipt, deposition and transmission of the money, maintain suitable records for purposes of accounting and auditing.

The BMC shall issue cheques for making payments and by and large avoid cash transactions. BMCs may require the procurement of good, equipments, furniture and other supplies and services like consultancy, upkeep and maintenance, other management services, technical services and expert assistance.

Procurement of goods and services can be made in a most efficient and judicious manner keeping in view the financial properties of the funds. Standard rules and regulations governing purchases etc., on such activity relevant in the Local bodies may be adhered to.

2.4 Modus Operandi of Expenditure for BMC

A startup fund, appropriate for its level may be provided for each BMCs and a manner of disbursement would be in the manner prescribe below:

2.5 Modus Operandi of Expenditure for People's Biodiversity Register

Funds earmarked for preparation of People's Biodiversity Registers (PBRs) may be utilized in the following manner:

No	Item	Village level BMC & PBR (in Rs.)	Block/Taluk level BMC & PBR (in Rs.)	District level BMC & PBR (in Rs.)
1	Amount apportioned for SBB to meets its expenditure for undertaking various activities during the preparation of PBR	15,000	20,000	30,000
	PHASE-I			
1	Awareness/PRA exercise	5,000	10,000	15,000
2	Skill development/field visit /Meetings	10,000	10,000	20,000
3	Collection of primary data	20,000	20,000	35,000
	PHASE-II			
4	Processing of data / documentation /drafting	20,000	30,000	40,000
5	Printing cost of PBR	10,000	20,000	30,000
6	Remuneration /TA/DA to Technical Support group /personnel	25,000	25,000	40,000
7	Miscellaneous charges	10,000	15,000	20,000
	Total	1,15,000	1,50,000	2,30,000

2.6 Signing of cheques and support for member of the permanent establishment

Cheques may be signed by the Chairperson and the Secretary of the BMC. The Secretary should be from permanent establishment like forest/panchayat raj Department etc., The Secretary of the BMC will maintain the accounts of the BMC. This task would be treated as an Additional Charge for the member of the permanent establishment. And therefore suitable honorarium in rupees would be paid for the services rendered to every Secretary. In this regard the State Government may issue a suitable Government Order/Resolution in consultation with SBB.

2.7 Cash Book

A Cash Book is to be maintained by the BMC. All records of cash/ bank transaction are to be recorded in the cash Book. While compiling the cashbook, page numbers of all receipts / cash payments record of certificates must be maintained. Cash payments must also be recorded in the cash book

2.8 Control of Expenditure

The Chairperson of the BMC is responsible for enforcing financial order and strict economy in every step.

The Secretary of the BMC is responsible for maintenance and upkeep of accounts in the prescribed manner.

2.9 Bank Reconciliation Statement

Balance in Bank and in the cash book should be reconciled in the last day of every month and the cashier should prepare the reconciliation statement. In case there is no expenditure, then such statement need not be prepared.

2.10 Statement of expenditure

A Statement of Expenditure upon receipt and expenditure of funds is to be submitted to the funding agency within the stipulated time. After expenditure of a minimum of 80% of the funds received, an Utilization Certificate in the prescribed format shall be submitted. (Format to be Annexed to the Guidelines)

2.11 BMCs and Access to Biological Resources, Levy and Benefit Sharing

The Committee (BMC) shall also maintain a Register giving information about the details of the access to biological resources and traditional knowledge granted, details of the collection fee imposed and details of the benefits derived and the mode of their sharing; which shall be intermittently examined by the local body.

The issues related to collection fee, benefit sharing and management of heritage sites, sacred groves, water bodies etc., will be done in consultation with the technical support of the SBB, and the SBB shall in this regard set up technical support groups comprising of local experts to provide necessary assistance to the BMC at State/Regional/District level.



SECTION III TECHNICAL ASPECTS

3.1 Areas covered by the Sixth Schedule

In case of sixth schedule areas, BMCs shall be formed at the levels of local institutions recognized by Autonomous District Councils. The Local Bodies shall ensure that the Biodiversity Management Committees are integrated with the existing local institutions by cross membership and regular coordination meetings.

The concerned State Biodiversity Board in the North Eastern states will provide a suggestive list of members for the constitution of the Biodiversity Management Committees duly taking into cognizance the ethnic and cultural diversity.

3.2 Technical Support Groups (TSG) for strengthening BMCs

The SBB shall formulate District level technical support groups (TSGs) comprising of officials/ institutions /people of excellence and expertise in the biodiversity issues at local level, which should guide the BMC in its operation. The People's Biodiversity Registers shall be maintained, authenticated and validated by the Biodiversity Management Committees with the assistance/guidance of the Local Technical Support Committee, a copy of which would be made available to the SBB.

The TSGs established at the appropriate level (State/Regional/ District) shall assist BMCs with regard to collection fee, benefit sharing and management of heritage sites, sacred groves and water bodies.

The Technical Support Group shall be formed at district level including representative from the departments of Forests, Agriculture, Horticulture, Veterinary and Fishery, Local Educational and Research Institutions, Autonomous District Councils, Non Governmental Organisations, Herbal Practitioner etc. based on the local conditions.

The Technical support group shall assist the BMC in listing local names of flora, fauna, traditional knowledge relating to flora and fauna, and current practices of communities regarding conservation within its territorial jurisdiction, to be included in the PBR.

3.3 Monitoring

The National Biodiversity Authority (NBA) may constitute every two years a Committee of Experts consisting field officers, scientists, academicians, member secretaries and others to review the workings of BMCs to amend the guidelines from time to time.

3.4 Custody of PBRs and information therein

The BMC shall ensure the protection of the knowledge recorded in the People's Biodiversity Register principally in the matters of regulation of access to agencies and individuals outside the village limits. Access to registers need to be recorded in writing and maintained in consultation with SBB/ Technical Support group. Use of any information/knowledge from PBR should be duly and properly acknowledged

3.5 BMCs and Biodiversity Heritage Sites

To incentivize BMCs to protect more areas of biodiversity importance, a sum

of Rs.50,000/= (Rupees fifty thousand only) would be deposited in a nationalized bank in the name of BMCs declaring Biodiversity Heritage Sites (BHS). The interest of the said amount can be use by the BMC to pursue activities that aid in strengthening the efforts.

3.6 Resolution of Disputes

Disputes between/amongst BMCs in the same district may be referred to the Nodal Officer/ CEO ZP /District Magistrate.

