



National Biodiversity Authority

(An Autonomous and Statutory Body under the Ministry of Environment, Forest and Climate Change, Government of India)



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Secretary

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NBA/Tech Genl/22/1/13/15-16/2804

Dated: 14.11.2015

To

The Vice Chairman & Managing Director,
Andhra Pradesh Forest Development Corporation,
3rd Floor, Adarshnagar Colony,
Hyderabad - 500 063.

Sir,

Sub: Sale of Red Sanders wood by A.P. Govt.– Clarification on approval for export by Indian Buyers -reg.

Ref: Your office letter No. 6.5.2003/2014/R.S.wood/NBA/933 dated: 19.05.2015

This has reference to your letter cited above wherein certain clarifications were sought from the National Biodiversity Authority (NBA) for export of Red Sanders wood by the Indian buyers as to whether payment of 5% auction amount as upfront ABS fee made by the Indian buyers and approval accorded by APSBB is sufficient or whether the foreign buyers have to seek approval from the NBA again.

2. In this connection, it is clarified that if the successful bidder is an Indian/ Indian entity as per section 7 of the Biological Diversity Act, 2002, he/ she will have to apply to the Andhra Pradesh Biodiversity Board (AP SBB) in Form – 1, seeking prior approval to access the auctioned Red sanders upon payment an upfront payment of 5% of the auctioned amount (excluding taxes and other Government dues) with the APSBB, *before lifting the Red Sanders from the site.*

3. Further, it is to inform that the issue of purchasing Red Sanders wood by a foreign buyer from the successful Indian bidder who purchased the Red Sanders wood auctioned by the Government of Andhra Pradesh and other agencies was examined by the Expert committee on Access and Benefit Sharing and its recommendation was considered by the Authority in its 35th meeting. The decision taken by the Authority is as follows:

"Authority decided that in case of foreign buyer who intends to buy Red Sanders wood shall apply to the NBA in Form-I and pay benefit sharing amount of 5% on the amount between the purchasing price payable by him (foreign buyer) and the original price already paid by the Indian buyer at the time of auction, excluding Govt. taxes."

4. In view of the above, it is to request you to advise the foreign buyer(s) to apply in Form-I to the NBA seeking approval for accessing the Red sanders wood and pay benefit sharing amount of 5% on the difference in amount between the purchasing price payable by him (foreign buyer) and the original price already paid by the Indian buyer at the time of auction, excluding Govt. taxes, to the NBA as per the proviso under Regulation 3(1) of the ABS Guidelines,2014.

Yours faithfully,


(T. Rabikumar)
Secretary, NBA.

Copy for information to: The Member Secretary, Andhra Pradesh Biodiversity Board, 6th Floor, Chandra Vihar Complex, M.J. Road, Nampally, Hyderabad – 500 001, Andhra Pradesh.