

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**(Under Section 18 read with Section 14 of the
National Green Tribunal Act, 2010)**

**ORIGINAL APPLICATION NO. 347 / 2016
(I.A.No. 471/2019)**

CHANDRA BHAL SINGH

... Applicant

Versus

UNION OF INDIA & Ors.

... Respondents

**COMPLIANCE REPORT FILED BY THE 24TH RESPONDENT/
SECRETARY, TAMILNADU BIODIVERSITY BOARD, CHENNAI**

1. I, Shri. T.V.Manjunatha, IFS, son of (late) Shri. T. Veerana Gouda, Hindu, aged 57 years, residing in Manapakkam, Chennai-600125, presently come down to New Delhi, do hereby solemnly affirm and sincerely state as below,
2. I am working as Secretary, Tamilnadu Biodiversity Board and have been arrayed as the 24th Respondent in the present Original Application 347 of 2016 Being well acquainted with the facts and circumstances of the case from the records I am competent to affirm the present Affidavit.
3. That vide order dated 09.08.2019, the Hon'ble National Green Tribunal (NGT) was pleased to direct the Chief Secretary to the Government of Tamilnadu and the Principal Secretary, Rural Development & Panchayati Raj Department, to achieve 100 percent compliance with regard to the constitution of Biodiversity Management Committees (BMCs) in all the local bodies as per the Section 41 of the Biological Diversity Act, 2002 and prepare the People's Biodiversity Registers (PBRs) in all the BMCs as per the Rule 22 (6) of the Biological Diversity Rules, 2004, by 31.01.2020. All those states who fail to comply with the order will attract a coercive/penal action as mentioned in the said order. The states have been directed file the status report to MoEF & CC, which in turn will have to file a compliance report before the Hon'ble

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13/02/2020

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Secretary
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NGT by 15.02.2020. The Extract Order of the Hon'ble National Green Tribunal is as below:

“The Chief Secretaries of all states, where the defaults are continuing, may consider giving a warning to the Panchayat Secretaries for their past failures, recording the same in their Service Record and give direction to the other officers who are responsible for the job to ensure compliance with 100% constitution of BMCs and PBRs by 31.01.2020 failing which coercive measures may have to be considered against them. The Chief Secretaries may evolve a mechanism for ensuring a monthly meeting to be attended by the Chairman and Member Secretaries of State Biodiversity Boards, Secretaries, Panchayat, Environment & Forests starting from September 2019”

“The MoEF & CC may file a compliance report after collecting the necessary data from all the States on or before 15.02.2020. The Monitoring Committee of the MoEF & CC may oversee the quality of People's Biodiversity Register on sample basis by evolving a suitable mechanism”.

4. It is respectfully submitted that the Tamilnadu State Government has constituted the Tamilnadu Biodiversity Board as a statutory body u/s 22 of Biodiversity Act, 2002 vide G.O. (Ms) No. 38 Environment and Forests (FR.5) Department, dated: 29.04.2008 (Annexure-1)
5. The Tamilnadu State government has notified the Tamilnadu Biodiversity rules on 09.11.2017 vide G.O. (Ms) No. 137 Environment and Forest (FR-5) Department (Annexure-2)
6. It is respectfully submitted that the Tamilnadu government has constituted Biodiversity Management Committees (BMC) in 13,604 local bodies out of 13,610 local bodies in all 12,524 Gram Panchayats, all 385 Rural blocks, 31 (out of 37) District Panchayats and all 664 Urban Local Bodies} covering 99.96 percent of Tamilnadu state, as per the section 41 of the Biological Diversity Act, 2002. Hence,

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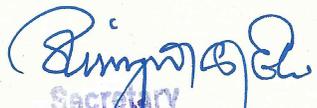

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the State has achieved almost 100 percent compliance in respect of Biodiversity Management Committee constitution.

7. It is respectfully submitted that with respect to the preparation of People's Biodiversity Registers, it is humbly stated that the People's Biodiversity Registers being highly scientific documents and will be used as references for implementation of all the provisions of the Biological Diversity Act in future, for which a considerably significant amount of time (to cover all the seasons), man power, funds, infrastructure, etc., are required and the process involves extensive field visits, interactions with the local people/vaids/hakims/Technical Knowledge holders, traders, companies, etc. In complete obedience to the orders of the Hon'ble Tribunal and to achieve compliance in true spirit, the Tamilnadu State Government has consulted the representatives of Biodiversity Management Committees, NGOs, Scientists, Knowledge Partners (KP), Technical Support Groups (TSG), etc., and after a series of discussions, and keeping in view the time line fixed by the Hon'ble NGT, the State Government took a considered view to prepare the PBRs for all the 385 Rural Blocks and 664 Urban Local Bodies (ULBs) that will cover the entire state, initially. Based on the experience gained in this exercise, a refined and field tested methodology will be adopted to take up the PBR preparation in all the remaining Gram Panchayat (GP) and District Panchayat (DP) Level Biodiversity Management Committees. This will enable the Biodiversity Management Committees, the District Administration, the State Government and the Tamil Nadu Biodiversity Board to arrive at the proper requirements of funds, man power, time and infrastructure to complete this humongous scientific task.
8. It is respectfully submitted that as a prelude to this humongous task, with all the sincerity, commitment and the limited voidah available, the Tamilnadu State has completed the process of People's Biodiversity Register preparation in all the 385 Rural Blocks and 664 Urban local bodies, thus achieving the targeted People Biodiversity Register preparation in 1,049 local bodies as on 31.01.2020. It is

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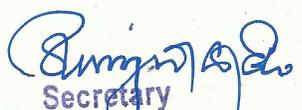
humbly prayed and submitted that so far as the preparation of the People's Biodiversity Registers is concerned, the order of the Hon'ble National Green Tribunal (NGT) is substantially complied with so as to fulfill the objectives of the Biological Diversity Act and to comply the order of the National Green Tribunal (NGT) through the process of completing these 1,049 People's Biodiversity Registers which encompass the entire geographical area of the state of Tamilnadu. Further, the process of People Biodiversity Register (PBR) preparation for the balance 12,561 Biodiversity Management Committees of the Gram Panchayats and District Panchayats will be taken up early, in consultation with the respective Biodiversity Management Committees, Technical Support Groups, the District Administration and the State Government. The Tamil Nadu Biodiversity Board has sincerely provided the technical support and guidance to the Biodiversity Management Committees, Technical Support Groups, District Nodal Officers and the state government, and it will continue to perform its statutory functions in true spirit.

9. It is respectfully submitted that since the People's Biodiversity Register is a scientific document which will become a reference legal document for future transactions and implementation of the Biological Diversity Act, 2002, as per our previous experience, its preparation at the Gram Panchayat (GP) level covering 12,524 villages, collecting data for all three seasons, consultations with the local communities, digital documentation of flora & fauna, etc., needs large number of work force, adequate funds, infrastructure and reasonable amount of time.

10. It is respectfully submitted that in view of the tremendous quantum of work that is needed to prepare People's Biodiversity Registers for all the 12,524 Gram Panchayats in the state, it is respectfully prayed that the Hon'ble National Green Tribunal may grant some more reasonable time to accomplish this task. The State could accomplish the task for 1,049 Biodiversity Management Committees only, due to the limited time available and by involving the Technical Support Group members and Knowledge Partner organizations, etc., but, to achieve the same for all the Biodiversity

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Management Committees of Gram Panchayats level, the state will require more time, about 18 to 24 months from now, provided, adequate funds, infrastructure and work force is made available to the Biodiversity Management Committees and the Tamil Nadu Biodiversity Board. The experience that has been gained with the present exercise demands that there is an obligatory need to involve more numbers of ground level stakeholders, Research organizations, NGOs, Traditional Knowledge Holders, companies, etc., which will require reasonable amount of time as mentioned above.

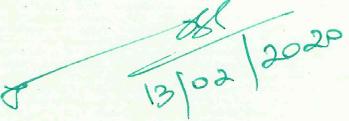
11. It is humbly prayed that preparation of People's Biodiversity Registers is 'Continuous and Ongoing' exercise which needs to be done periodically. In the light of the aforesaid mandate of the Biological Diversity Act, we request Hon'ble NGT to grant reasonable time to perform the task effectively so as to achieve the objective of the Biological Diversity Act in letter and spirit.

12. It is humbly prayed that the Hon'ble NGT may be pleased to accept this Compliance report and grant 18 to 24 months time to complete the process of People's Biodiversity Registers' preparation and pass order or such other order as it may deem fit and proper in this case and thus render justice.

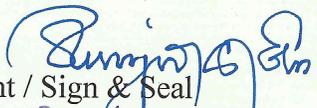

Deponent / Sign & Seal
Secretary
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VERIFICATION

I, the above named deponent do hereby declare that this is my name, signature and official designation and what are all stated in above said paragraphs are true to the best of my knowledge and belief and nothing material had been concealed there from. Verified the same on this 13th day of February, 2020 at New Delhi.


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