



Biodiversity

Overview

Biological diversity has been recognised as a fragile and finite resource susceptible to loss from human activity. Countries have in recent years endeavoured to safeguard natural resources against unsustainable and unfair use or commercial exploitation.

India enacted the Biological Diversity Act, 2002 to implement the Convention on Biological Diversity. The legislation reiterates the basic premise of the Convention: to conserve biological diversity, and sustainably so; respect controlling rights over natural resources and discoveries; and promote fair and equitable sharing of benefits derived from utilisation of biological resources, knowledge and matters ancillary. India became an associate member of the Global Biodiversity Information Facility in 2003.

Essentially, the Act introduces a framework for conserving, controlling access and sharing benefits arising from any access of biological resources of India by any person or entity. Any access to India's flora and fauna requires prior permission from the National Biodiversity Authority (NBA), a statutory autonomous body with headquarters in Chennai, which performs facilitative, regulatory and advisory functions for the Government of India on issues of conservation, sustainable use of biological resources and fair and equitable sharing of benefits arising out of the use of biological resources.

The firm's biodiversity practice brings depth of experience and expertise of our specialists in the field. We advise and assist domestic and foreign clients for obtaining approvals and making representations before the NBA, State Biodiversity Boards and other Committees formed under the Act. Our attorneys further represent clients in the approvals processes before various forums and courts, including the National Green Tribunal.



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