

**GOVERNMENT OF INDIA  
ENVIRONMENT AND FORESTS  
LOK SABHA**

UNSTARRED QUESTION NO:6580  
ANSWERED ON:05.05.2010  
BIOLOGICAL DIVERSITY ACT  
Gandhi Smt. Maneka Sanjay

**Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:**

- (a) whether 190 plant species have been exempted through a notification in October, 2009 from the purview of the Biological Diversity Act provided they are traded as commodities ;
- (b) if so, whether notification was subjected to public comment as required by Rule 5 of the Environment Protection rule;
- (c) If so, the details thereof; and
- (d) if not, the reasons therefor?

**Answer**

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS(SHRI JAIRAM RAMESH)

(a). No, Sir. 190 plant species have not been exempted through a notification in October, 2009 from the purview of the Biological Diversity Act. The Notification dated 26.10.2009, lists 190 biological resource which would be exempt from the purview of the Biological Diversity Act, 2002, provided they are traded as commodities for export. However, in case these resources are used for any other purpose including research or industrial use, prior approval of the National Biodiversity Authority would be required as per the provisions of the Act.

(b)to(d). The Notification dated 26.10.2009 has been issued under Section 40 of the Biological Diversity Act, which provides that the Central Government may notify such items in consultation with the National Biodiversity Authority. Section 40 does not require public consultation on the subject.