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Biodiversity Authority Releases Rs 2.82 Crore in Benefit-Sharing Funds, and Exposes a Design Flaw

24 August 2026

ENVIRONMENT

GS3

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Biodiversity Authority Releases Rs 2.82 Crore in Benefit-Sharing Funds, and Exposes a Design Flaw

24 August 2026 · 4 min read ·

✓ Every fact web-verified against primary sources

On August 22, 2026, the National Biodiversity Authority (NBA) disbursed ₹2.82 crore collected under the Access and Benefit-Sharing (ABS) mechanism, of which ₹2.80 crore went to 27 State Biodiversity Boards and 3 Union Territory Biodiversity Councils and ₹2.01 lakh to ICAR-Indian Institute of Horticultural Research, Bengaluru.

WHERE THE MONEY CAME FROM

The funds originated from **Advanta Enterprises Ltd. (formerly UPL Limited)** as benefit-sharing for the use of genetic resources associated with, among others:

- **Eight hybrids of cauliflower** (*Brassica oleracea* var. *botrytis*)
- **Five hybrids of hot pepper**

THE PROBLEM THAT MAKES THIS INTERESTING

The resources had been accessed through the **acquisition of another company**. That corporate transaction severed the link between the genetic material and any identifiable **benefit claimer** — a specific farming community, a group of conservers, or a single geographic source.

So the NBA constituted an **Expert Committee** to recommend a modality for distributing the benefit-sharing component in such untraceable cases. The Authority approved the recommendation, and the ₹2.80 crore was distributed across the State Boards and UT Councils instead.

THE FRAMEWORK

LEVEL	BODY
National	National Biodiversity Authority (NBA) , statutory autonomous body established 2003 , headquartered at Chennai
State	State Biodiversity Boards (SBBs)
Local	Biodiversity Management Committees (BMCs) at local body level

All three are created by the **Biological Diversity Act, 2002**, under the **Ministry of Environment, Forest and Climate Change**. The Act was amended by the **Biological Diversity (Amendment) Act, 2023**.

Access and Benefit-Sharing implements the **third objective of the Convention on Biological Diversity (1992)** — the fair and equitable sharing of benefits arising from the use of genetic resources. It was operationalised internationally by the **Nagoya Protocol (2010, in force 2014)**, to which India is a party.

A “**benefit claimer**” is defined in the 2002 Act as a conservator of biological resources or a holder of associated traditional knowledge. They are the intended recipients.

CRITICAL ANALYSIS

A small sum exposes a large design flaw. ABS rests on a premise: that a commercial benefit can be traced back to identifiable conservers whose stewardship produced or maintained the resource. Here a corporate acquisition broke that chain, and the money went to government institutions instead of to communities.

When benefit-sharing flows to boards rather than to claimers, the mechanism changes character. It stops being an equity instrument that rewards stewardship and becomes, functionally, a levy on **bioprospecting** collected by the state. The incentive argument that justified the Act — conserve, because you will share in the value — weakens the moment the sharing stops reaching conservers.

The NBA’s response was reasonable and the outcome is still unsatisfactory. Both can be true. Faced with untraceable claimers, distributing through the federal structure is defensible; the money at least stays within biodiversity governance rather than lapsing. But an Expert Committee modality is a workaround for a gap the statute did not anticipate, and workarounds tend to become defaults.

The traceability gap will widen, not narrow. Seed and agri-biotech **consolidation** means genetic resources increasingly change hands as corporate assets. Every acquisition is another opportunity for provenance to be lost. This connects directly to the debate around the **2023 amendment**, which eased compliance for Indian companies and registered AYUSH practitioners.

UPSC RELEVANCE

GS Paper 3 (Environment): Conservation and biodiversity governance; India's obligations under international environmental agreements.

Prelims focus: the three-tier NBA-SBB-BMC structure and which statute creates it; NBA's establishment year and headquarters; the CBD's three objectives and which one ABS implements; the Nagoya Protocol's adoption and entry-into-force years; the definition of a benefit claimer.

Mains angle: Argue that ABS is only as strong as its traceability. Use this disbursal as the case: where **provenance** is lost through corporate transfer, benefit-sharing defaults to institutional distribution and the conservation incentive at the heart of the Act is diluted. Connect to the 2023 amendment's compliance easing.

Way forward: **Mandate** that genetic-resource provenance records transfer with the asset in any acquisition, so the claimer chain survives corporate restructuring; require BMCs to maintain **People's Biodiversity**

Registers as the evidentiary base for claims; and publish the per-board allocation so distribution in untraceable cases is auditable.

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THE DISBURSAL:

₹2.82 crore total, released August 22, 2026

₹2.80 crore to 27 State Biodiversity Boards and 3 UT Biodiversity Councils

₹2.01 lakh to ICAR-Indian Institute of Horticultural Research, Bengaluru

Source: Advanta Enterprises Ltd., formerly UPL Limited

Resources: eight hybrids of cauliflower (*Brassica oleracea* var. *botrytis*) and five hybrids of hot pepper, among others

Claimers were untraceable because access came via a corporate acquisition; an Expert Committee modality was used instead

THE FRAMEWORK:

Biological Diversity Act, 2002, amended by the Biological Diversity (Amendment) Act, 2023

Three tiers: NBA (national) → State Biodiversity Boards → Biodiversity Management Committees (local)

NBA: statutory autonomous body, established 2003, headquartered at Chennai, under MoEFCC

Benefit claimer: a conservator of biological resources or holder of associated traditional knowledge, as defined in the Act

INTERNATIONAL:

ABS implements the third objective of the Convention on Biological Diversity (1992); the other two are conservation and sustainable use

Nagoya Protocol: adopted 2010, in force 2014; India is a party

People's Biodiversity Registers are maintained by BMCs and are the local evidentiary base for claims

Sources: PIB, National Biodiversity Authority

Source: Biodiversity Authority Releases Rs 2.82 Crore in Benefit-Sharing Funds, and Exposes a Design Flaw —
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