

**REPORT OF THE EXPERT COMMITTEE CONSTITUTED BY THE
MEGHALAYA BIODIVERSITY BOARD (MBB) TO REVIEW THE PROCESS OF
CONSTITUTION OF THE BIODIVERSITY MANAGEMENT COMMITTEES (BMCs)
AND THEIR COORDINATION.**

1. Background:

Pursuant to the decision taken in the meeting of the Meghalaya Biodiversity Board (MBB) held on 19.09.2016, the Chairman, MBB constituted an Expert Committee to review the process of constitution of Biodiversity Management Committees (BMCs) in Meghalaya, their funding and coordination. The following are the Members of the Committee:-

- (i) Dr. Subhash Ashutosh, IFS, Additional Principal Chief Conservator of Forests (Research and Training), Forests & Environment Department – Chairman.
- (ii) Shri D. Sathiyam, IFS, Chief Conservator of Forests (Social Forestry & Environment) cum Secretary, MBB - Member Secretary.
- (iii) Dr. C.O. Rangad, Director (Retd), Horticulture Department, Meghalaya and member of the MBB – Member
- (iv) Dr. Daniel Ingty Director (Retd), Horticulture Department, Meghalaya and member of the MBB – Member.
- (v) The Chief Forest Officers of the KHADC, JHADC & GHADC - Members
- (vi) Shri Rupanker K.Marak, MFS, Divisional Forest Officer, Social Forestry Division, West Garo Hills, Tura cum District Nodal Officer (Biodiversity) – member.

2. Meetings & Discussions:

The Expert Committee had two meetings. The first meeting was held on 15th December, 2016 and the second meeting was held on 24th January, 2017.

During these meetings, the Committee members have had detailed discussions on various aspects relating to constitution of BMCs in the State and their effective coordination. The aim was to suggest to the MBB suitable processes/mechanisms by which all Local Bodies in the State could be facilitated for constitution of BMCs and also to ensure that the BMCs function effectively to achieve the objectives of the Biodiversity Act.

3. Recommendations:

After detailed deliberations, the Expert Committee hereby submits the following recommendations for the consideration of the MBB:-

3.1. Legal aspects of constitution of BMCs:

The Committee noted that as per the Biodiversity Act 2002, every Local Body shall constitute a BMC. The term 'Local Body' is defined in Section 2 of the Biological Diversity Act. Since Meghalaya is a Sixth Schedule State as per of the Constitution of India, where there is no Panchayat Raj institution, the 'Local Body' would mean institution of self-government constituted under any provisions of the Constitution, any Central Act or State Act.

Against this backdrop, the Committee examined the present practice of constitution of BMCs through the village durbars in Khasi Hills and Jaintia Hills and through the Nokmas under Garo Hills and found that these institutions satisfy the requirement of Local Bodies in respect of the Biodiversity Act, as these traditional institutions are recognized and governed by the respective Autonomous District Councils (ADCs). ADCs have been created under the Constitutional provisions of the Sixth Schedule. The Committee also noted that in one or two instances, BMCs have been constituted by a higher level Local Body like Syiemship, Sirdarship etc. and found that they too are legally valid.

Accordingly, the committee recommends that

- (i) the smallest unit for constitution of BMC would be the Local Bodies i.e. Durbar Shnong in Khasi & Jaintia Hills and Nokmas in Garo Hills;**
- (ii) BMCs can also be constituted at a higher level** of traditional institutions such as Syiemship/Doloiship/ Sirdarship etc. which are recognized by the respective ADC, **when there is general consensus in the constituent Dorbar Shnongs/Nokmas in favour of such BMC at higher level;**
- (iii) in Garo Hills, in case of villages founded on the Akhing lands, the institution of Nokma shall be the Local Body** who can constitute the BMC. **In case of villages existing on non-Akhing lands, the BMCs can be constituted through the Gaonbura.**

