

Biological Diversity Act, 2002

Section 62 - Power of Central Government to Make Rules

1 62. Power of Central Government to make rules.--

(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:--

- (a) terms and conditions of service of the Chairperson and members under section 9;
- (b) powers and duties of the Chairperson under section 10;
- (c) procedure under sub-section (1) of section 12 in regard to transaction of business at meetings;
- (d) form of application and payment of fees for undertaking certain activities under sub-section (1) of section 19;
- (e) the form and manner of making an application under sub-section (2) of section 19;
- (f) form of application and the manner for transfer of biological resource or knowledge under sub-section (2) of section 20;
- (g) form in which, and the time of each financial year at which, the annual report of the National Biodiversity Authority shall be prepared and the date before which its audited copy of accounts together with auditor's report thereon shall be furnished under section 28;
- (h) form in which the annual statement of account shall be prepared under subsection (1) of section 29;
- (i) the time within which and the form in which, an appeal may be preferred, the procedure for disposing of an appeal and the procedure for adjudication, under section 50;
- (j) the additional matter in which the National Biodiversity Authority may exercise powers of the civil court under clause (h) of sub-section (6) of section 50;
- (k) the manner of giving notice under clause (b) of section 61;
- (l) any other matter which is to be, or may be, prescribed, or in respect of which provision is to be made, by rules.

(3) Every rule made under this section and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect

only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

1. Effective from 01.10.2003

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