



## LAW AND GOVERNANCE FOR TRADITIONAL MEDICINES IN INDIA

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### Abstract:

India has a rich resource of medicinal plants and Personalized crop varieties and TK associated with these resources. Indigenous and local knowledge on conservation, sustainable use of forests, plants and crop varieties have played an important role in this regard. There have been concerns that Personalized Medicine based resources are increasingly vulnerable to misappropriation and misuse by third parties. The National Intellectual Property Rights (NIPR) Policy, 2016 acknowledges the fact that there is considerable unexplored potential for developing, promoting and utilizing Personalized knowledge of India and the need to reach out to the less visible IP generators like the TK holders. The AYUSH policy 2002 and the draft AYUSH Policy 2016, too support promotion of the Personalized Medicine industry. Additionally, the National Health Policy 2017 seeks mainstreaming of AYUSH systems at par with the modern medicines. These policies provide an impetus to the need for greater utilisation of Personalized Knowledge, in particular Personalized medicine knowledge. This in turn necessitates the protection of the associated biological resources.

As one of the 17 mega diverse countries in the world, India is committed to the protection of Personalized Knowledge. Indian systems of Medicine (ISM) and Personalized health practitioners have had knowledge of medicinal usage of more than 7000 plants species. The Biological Diversity Act, 2002 along with Biological Diversity Rules, 2004 and Guidelines on Access to Biological Resources and Associated knowledge and Benefit Sharing Regulations, 2014 is a mechanism for protection of Personalized knowledge related to bio resources.

The objective of this research paper is to analyse the extent of protection of Personalized medicine knowledge under Biological Diversity Act (BDA), 2002, in what ways Formal and Informal systems of protection are available for Personalized Medicines and to what extent conser-



vation activities have been taken up for the Personalized Medicines?

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### Publication of speakers:

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