



Act, Chapter, Schedule and their amendments for Wildlife protection: A scenario

Kanhiya Mahour* 

Experimental Laboratory, Department of Zoology, R.P.P.G. College, Kamalganj, Farrukhabad-209724, (U.P.), India.

**Corresponding author: kris_mathura@yahoo.com*

Abstract

Interactions between human beings and wild life coming from ancient times with a defining experience of human existence. These interactions may be in a positive or negative way. People compete with wild life for meals, shelter and other resources. With these interactions, they may find some beneficiaries and some time they face losses; even they can lose their life. Wild life is very important for maintaining the diversity and link in the ecosystem. Wild life had suffered a wide range of social and behavioural changes due to the greedy nature of human being and technical approaches to reduce negative interactions with wild life. The negative interactions have led to the destruction of habitats and decline of numerous species. Current advancements in biodiversity studies to increase their number are in the direction of positive conservation and betterment of wild life. However, there is an urgent need to frame some important rules and regulations for the conservation and protection of wild life. The present investigation explores the various acts, chapter, schedule and their amendment for wild life protection and conservation in present scenario.

Keywords: Act, chapter, schedule, amendment, wildlife protection, scenario

Received: 19 February 2023

Accepted: 26 September 2024

Published: 04 October 2024

Suggested Citation

Mahour K., 2024. Act, Chapter, Schedule and their amendments for Wild life protection: A scenario, Prithivya, An Official Newsletter of WCB Research Foundation and WCB Research Lab. Vol 4 (2) 4-13.

Introduction

Wild life is known to be untamed animal species but now has come to include all organisms that grow or live wild in an area without being introduced by humans. Wild life was also synonymous to activity: those birds and mammals that were sought for sport. Flora and fauna can be found in all ecosystems.

Homo sapiens have competed with other species for territory and wealth and have innovated and tailored to become the leading ecological force on the planet (1). This divergence has contributed to the extermination of numerous species (2); changes in ecological structural unit and utility (3); and inestimable loss of human life, crops, livestock and possessions (2, 4). The amelioration and alleviation of this conflict is central to the preservation and re-establishment of many species and debates over how and whether to co-exist with other animals imply social, economic and political clash within and among human communities (2, 5).

Human wild life conflicts can have negative penalties for people, including thorough losses in crops and livestock and various other influences on human welfare (6). Wild life, too, is negatively affected by human wild life conflicts as conflicts can urge maltreatment of animals or lead to a generally negative approach toward their survival (7, 8).

Wildlife conservation in India has been continuing from ancient times and it embattled species and that too in a distinct geographical area. Then, the formation of the Wildlife Board at the national level and implementation of the Wildlife (Protection) Act in 1972 laid the foundation of the present day “wild life conservation” age in post-independent India. From this day forward, the Act has been amended many amended times and these changes are governed by the National Wildlife Advisory Board.

India is also an active member of all major international upkeep treaties related to territory, variety and surroundings such as Ramsar Convention, 1971; the convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1973; the convention on Migratory Species (CMS), 1979; The Biological Diversity act, 1992 etc. At present, there is a series of 54 tiger reserves and 33 elephant protected areas, in spite of 1014 Protected Areas including 06 National Parks, 5573 Wild life Sanctuaries, 115 Conservation Reserves and 220 Community Reserves put up with testimony to the hard work of the Central government. The



Environmental Protection Act, 1986 and notifications issued there under made solemn labours to defend wild life habitats and flora and fauna corridors.

Country's forest policy has targeted forest and tree cover for over 33% of the total geographical area. A study by the Zoological Society of India (ZSI) on tiger reserves of India depicted how tiger reserves have contributed towards the hard work of preservation of biological diversity in the country by protecting foundation variety and forests. One has to keep in mind that till date nearly 69 per cent of biodiversity has been recorded from the woody area of the world. Considering all these facts, present study has been designed to explore the acts, chapters, schedules and their amendment for wild life protection and conservation.

Act

Act proceeds to offer defence to wild life and aves from matters associated therewith or supplementary or accompanying thereto. It governs the Central government to take steps towards the defence of wild life in its states. It was enacted in the 23rd year of the republic of India i.e. in 1972. It should firmly be followed in states in which the parliament has not enacted a wild life security act to guard wild life within. The wild life security act contains 7 chapters and 5 schedules as follows.

Chapter

Chapter I (Preliminary)

It may be called the Wild Life Protection act 1972. It extends to states like A.P., Bihar, Gujarat, Haryana, H.P., M.P., Manipur, Punjab, Rajasthan, U.P., U.K., West Bengal and all Union Territories. It shall come to power in states on such dates the Central Government by announcement, declares to tag along this act. Section 2 evidently defines some terms afraid with wild life and its defence.

Chapter II (Appointed authorities)

Chapter II contains six sections (3 to 8). For this intention the Central government may assign- A director for wild life conservation and Assistant director for wild life protection. Officers and employees are also essential.



The administrator of a state or union territory may as soon as possible after the beginning of this act, make up a wild life advisory board. The board shall assemble at least twice a year and shall control all its own events. It is under the guidance of state government for assortment of protected areas for National parks, Game reserves, Sanctuaries and Closed areas. It is invent the policy in getting permits or licences, modification of schedules and any other subject associated to wild life preservation.

Chapter III (Hunting of wild animals)

This chapter includes 7 sections from 9 to 17.

Section 9 - This act says that no individual shall pursue any wild animal species in schedule I, II, III and IV. However, persons having licence to hunt wild animals may hound all animals in inadequate numbers except in schedule I.

Section 10 – It says the policy and regulations of the licence holders with a scrutiny to protect the wild life.

Section 11 – Empowers the chief wild life curator to permit selected persons to hunt animal's unsafe to human beings in terms of defence.

Section 12 – Population administration of wild life without assassination or toxicity or harming any wild animals.

Section 13 – This section states that the Chief Wild life Warden or any such authorised officer can terminate or suspend the license of a person, by general or special order of the State Government in writing and also provide such valid reasons for the deferral or termination of the license.

Section 15 – No body shall hound young of any wild animal other than vermin or any female of such creature.

Section 17 – No body shall hound wild animals by using vehicles on land, water or air. They use mock light for hunting. Hound with the help of dogs.

Chapter IV (Sanctuaries, Closed areas, Game reserve and National parks)

This chapter includes 21 sections from 18 to 38 and few significant are as follows-



Section 18 – The state government may announce that any region becomes a sanctuary, if it considers that such area is of sufficient ecological, faunal, geomorphological, expected or zoological consequence, for the reason of defending, propagating or just beginning wild life or its surroundings.

Section 19 – Before declaring an area to be a sanctuary, the collector shall inquire in to and decide the survival, scenery and degree of right of person.

Section 21 – When an announcement has been issued, the collector shall circulate in the local language in each town and in each villages of the district about the condition and restrictions of the sanctuary.

Section 23 – For conducting such examination, the collector may go into or upon any land to review, distinguish and make a road map of the same. He may use civil court for the track of suits.

Section 25 – For acquiring such land or right in or over such land, the collector shall be the land collector. The collector may honour the reimbursement in land or wealth or both.

Section 27 (1) – In this section, No body rather than municipal servant on task, person of chief wild life warden, department staff, person passing though the public way and person having resolute property within the sanctuary.

Section 27 (2) – Every person, who will be resident for a long time in the sanctuary, be bound to put off any offense.

Section 30 – Section 30 says that no person shall put fire in a sanctuary.

Section 31 – Section 31 says that no person shall go into the sanctuary with any warhead.

Section 32 – Section 32 says that nobody shall enter the sanctuary with dangerous chemicals and explosives.

Section 35 (1) – This section says that whenever it exist in the eye of state government that an area whether within a sanctuary or is by the reason of its ecological, faunal, floral or zoological organization or consequence, it may be confirmed as a National park.



Section 35 (2) – By notification the state government order shall define the limits of the area planned to be confirmed as a National park.

Section 35 (6) – No body shall devastate, export or eradicate any wild life from National park and territory without the permission of the chief wild life warden.

Section 35 (7) – No grazing of any livestock shall be legally recognized in a National park, except those used as motor vehicles by official persons.

Section 36 (1) – The state government by announcement can announce any area to be an amusement detachment.

Section 36 (2) – No hunting of any wild animal shall be legitimate in such reserves.

Section 37 (1) – The state government may announce, assert any region closed to hunting for such a stage as may be particular in the announcement.

Section 37 (2) – No hunting of any wild animal shall be legalized in a protected area during the precise time.

Section 38 – If the area is appropriate to assert as a National park or Sanctuary and if the state government failed to state it, the Central government may announce it to be a National park or Sanctuary.

Chapter V (Trade or commerce on animal articles, wild animals and trophies)

Section 49 B states about trade or business in wild animals, trophies and animal articles. According to this section sought animals and dead animal commodities are the assets of the central government. No person has the precise to grasp or hound wild animals for deal reason.

Chapter VI (Prevention and detection of offences)

This chapter includes 9 sections from 50 to 58 and few important are as follows-

Section 50 (1) – The director, the chief of wild life curator, any forest security officer or police officer with the rank of sub-inspector may keep any person charged with a crime under this act. None of the previous laws can confine their powers in any customs.



Section 51 (1) – Any person who contravenes any stipulation of this proceeding shall be at fault of offence against it and shall be punishable with captivity for up to 2 years or with a fine lengthen to two thousand rupees or with both.

Section 51 (2) – Any weapon, motor vehicle or device used for this offence under this proceed shall be permitted to the state government and the consent may be cancelled.

Section 54 (1) – The state government may approve any officer with the rank of a Deputy conservator of a wooded area.

Section 54 (2) – After getting the payment, the person is under protection may be unrestricted.

Section 54 (3) – The afraid officer may be withdrawing his authorization.

Section 54 (4) – The fine here shall not go beyond rupees 2000.

Section 55 – No court shall acquire cognizance of any felony besides this proceeding.

Section 56 – Nothing in this proceeding shall be wanted to put off any person from being prosecuted under any other rule in strength at the moment.

Section 58 – When a crime is committed by a company, every individual in charge at the time shall be deemed to be responsible for that crime. The director, manager, secretary or other officer in charge may be punished consequently.

Chapter VII (Miscellaneous)

This division includes 7 sections from 59 to 65 and every officer appointed to implement this act shall be a public servant. Some important are as follows-

Section 60 – No suit or other legal proceeding shall lay the central government or the state government or its officers who do anything in good faith.

Section 61 – The central and state government may add any entry to any of the agenda or transfer any article from one schedule to another by announcement.

Section 63 & 64 – Sections 63 and 64 empowers the government to make regulations to handle all sorts of wild life exertion and to order the actions of different staff allotted under this act.



Section 65 – Nothing in this act shall affect the hunting civil liberties conferred on the scheduled tribes of Andaman and Nicobar islands.

Schedule

This schedule consists of five parts.

Schedule I

Schedule I consists of 4 parts. The wild life protection act, 1972 does not permit any person to hunt the animals included in this schedule.

Part I (Mammals) – It includes 61 species of mammals like Panther, golden cat, fishing cat etc.

Part II (Amphibians and Reptiles) – It includes 21 species of amphibians and reptiles like crocodiles, pythons, viviparous toads etc.

Part III (Birds) – It includes 38 species of birds like Bengal Florican, Andaman Teal, Indian Bustard etc.

Part IV (Crustacea and insects) – It includes only one species of coconut crab (*Bigrus latro*).

Schedule II

This schedule includes extraordinary game animals. These animals may be sought after getting a licence in restricted numbers. It includes about 30 species of animals like Bison, Nilgiri langur, leaf monkey etc.

Schedule III

This schedule includes big game animals. These animals may be hunted on getting an authorization. It includes Nilgai, wild pig etc.

Schedule IV

This schedule lists out small game animals. These animals may be sought on getting a licence. It includes over 100 species of animals like common fox, vulture, hornbill etc.

Schedule V



This schedule deals with some common animals and birds which are not usually considered for protection but to be preserved like common crow, mice, rats, voles etc.

Conclusion

From the above it is clear that these acts, chapters, schedules and amendments are very important and society should be aware of these laws while, dealing with wild life. By adopting these laws, we can encourage the protection and conservation of wild life. Otherwise, wild life and human being conflict will continue or may escalate in future. Moreover, there is an urgent need for amendment in acts, chapters and schedules in the present scenario for preventing wild life and human being conflicts.

References:

1. Waters C. N., Zalasiewicz J., Summerhayes C., Barnosky A. D. and Poirier C., 2016. The Anthropocene is functionally and stratigraphically distinct from the Holocene. *Science*, 351. doi: 10.1126/science.aad2622
2. Woodroffe R., Thirgood S. and Rabinowitz A., 2005. *People and Wildlife: Conflict or Coexistence?* Cambridge, UK: Cambridge Univ. Press Landmark edited volume covering human–wildlife conflict and coexistence.
3. Estes J. A., Terborgh J., Brashares J. S., Power M. E. and Berger J., 2011. Trophic downgrading of planet Earth. *Science*, 333:301–306.
4. Conover M. R., 2002. *Resolving Human-Wildlife Conflicts: The Science of Wildlife Damage Management*. Boca Raton, FL: CRC Press Comprehensive summary of animal damage management.
5. Redpath S. M., Young J., Evely A., Adams W. M. and Sutherland W.J., 2013. Understanding and managing conservation conflicts. *Trends Ecol. Evol.*, 28:100–109.



6. Ohrens O., Francisco S. Á., and Adrian T., 2019. The twin challenges of preventing real and perceived threats to human interests. In Beatrice Frank, Jenny A. Glikman, Silvio Marchini, (Eds.) Human–wildlife interactions: Turning conflict into coexistence. Pages 242–264. Cambridge: Cambridge University Press.
7. Harvey R. G. and Mazzotti F. J., 2019. Conflict and coexistence with invasive wildlife examining attitudes and behaviours towards Burmese Pythons in Florida. Cambridge University Press.
8. Kansky R. and Knight A.T., 2014. Key factors driving attitudes towards large mammals in conflict with humans. *Biological Conservation*, 179: 93– 105.