

# COMMENTS ON THE WILD LIFE (PROTECTION) AMENDMENT BILL, 2021

Submission to  
The Parliamentary Standing Committee on Science and Technology,  
Environment, Forests and Climate Change  
Parliament of India



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January 2022

**VIDHI** | Centre for  
Legal Policy

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The authors would like to thank Mr Alok Prasanna Kumar (Co-Founder, Vidhi), Mr Ananda Banerjee (Advisor to Climate & Ecosystems team at Vidhi), Mr Vijay Dhasmana (Eco-restoration Practitioner), and Ms Mridhu Tandon (Research Fellow, Climate & Ecosystems at Vidhi) for sharing their inputs.

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# Executive Summary and Introduction

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The Wildlife (Protection) Amendment Bill 2021 (Bill No. 159/ 2021) proposes to update and add several provisions to the existing Wildlife (Protection) Act 1972 (“**WPA**”) and streamline the same with other related laws and international commitments. A major addition is Chapter VB on regulating international trade in wildlife and the establishment of Management and Scientific Authorities to give effect to India’s commitment towards the Convention on International Trade in Endangered Species of Wild Fauna and Flora (“**CITES**”).

We appreciate the inclusion of ‘alien invasive species’ and regulating the same under the new Section 62A(l), the giving up of ownership of captive animal or any trophy under Section 42A (1), mandating consultation of the Gram Sabha in Protected Areas (“**PA**”) falling under Scheduled Areas or areas recognised under Forest Rights Act, 2006 as positive developments. Expansion of the definition of ‘person’ and inclusion of ex-situ conservation facilities under ‘zoos’ brings more clarity and expands the purview of the Act. We also appreciate the amendment of the title of 38Y from ‘Tiger and other Endangered Species’ to using the word ‘Wildlife’.

Although the Bill appears to have been drafted with good intentions, our analysis indicates that several provisions can be improved to bring clarity, strengthen conservation efforts and effectively implement the WPA. We also think that there are a number of neglected aspects of wildlife management which may be addressed through this Bill. Our suggestions are broadly categorised as follows:

- A. General amendments not related to CITES;
- B. Amendments related to CITES in Chapter VB;
- C. New Suggestions (not covered by the Act or Bill).

In the first section, we have provided comments on clarifications necessary in certain ambiguous provisions and definitions. We have also discussed the need for regulation of ‘invasive native species’ along with ‘invasive alien species’ to manage native species with known invasive characteristics. Additionally, we have recommended the establishment of an Advisory Committee on Invasive Species. Our principles submissions include use of the term ‘problem animal’ as opposed to ‘vermin’, specification of criteria and responsibilities in the process of declaration of any species as ‘problem animal’, and the introduction of an enabling provision to include feral population of domestic/tamed animals within the purview of this provision. Such feral animals, especially dogs, pose a threat to both ungulates (which they hunt) and to carnivores, since they carry infectious diseases like rabies, parvovirus, and distemper. This is particularly important as studies indicate that that 60% of Emerging Infectious Diseases — such as HIV, Ebola, SARS, Covid-19 — affecting humans, are zoonotic in origin and approximately 72% of these originate in wildlife.

In the second section, we have provided detailed analysis and comments on the newly inserted chapter on the implementation of CITES. Our major submissions propose improving definitions, and streamlining provisions in line with the CITES Model Law and international best practices. We have recommended increasing the functions and responsibilities of the Management and Scientific Authorities constituted under this chapter.

In the last section, we have discussed the need to bring attention towards protection of wildlife habitats and corridors outside the PA network. We have recommended insertion of a new section to declare wildlife habitats and corridors outside PAs as 'Deemed Wildlife Reserve'. We also recommend the establishment of a Central Wildlife Authority with powers similar to the National Tiger Conservation Authority, but with a wider jurisdiction over all wildlife habitats irrespective of their ownership and PA status.

# A. Suggestions on General Amendments

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## ***1. Amendment to Section 28***

The present Act allows the Chief Wildlife Warden (“**CWLW**”) to permit photography, research, tourism etc. inside a sanctuary. This amendment proposes to insert provisions for permitting ‘*film-making without making any change in the habitat or causing any adverse impact to the habitat or wildlife*’.

It is submitted that ‘change in habitat’ and ‘adverse impact’ should be further explained to indicate the activities which may be considered to have adverse impact. The Bill must incorporate an inclusive definition clause on this term. The definition may include removal of canopy, damage to soil, using of high beam lights, loud noise etc.

## ***2. Amendment to Section 29***

The proposed amendment seeks to exempt activities from the requirement of permission of National Board of Wildlife (“**NBWL**”) for certain circumstances, by inserting an explanation as follows:

*Explanation.—For the purposes of this section, ‘grazing or movement of livestock permitted under clause (d) of section 33, or hunting of wild animals under a permit granted under section 11 or hunting without violating the conditions of a permit granted under section 12, or the exercise of any rights permitted to continue under clause (c) of sub-section (2) of section 24, or the bona fide use of drinking and household water by local communities, shall not be deemed to be an act prohibited under this section.*

This explanation is a good addition and clarifies Section 29- particularly, the provision on bona fide use of drinking and household water by local communities. However, it is suggested that the list of activities which can be considered as household water use must be prescribed, to prevent misuse of the provision for large scale agriculture and livestock rearing.

Further, the portion of clause (d) of section 33, that ‘hunting of wild animals under a permit granted under section 11 or hunting without violating the conditions of a permit granted under section 12’, must be rephrased as ‘*hunting of wild animals permitted under section 11 and 12*’ as there is already a separate section for penalties under Section 51 of the WPA.

## ***3. Regulation of Invasive Species Must Include ‘Invasive Native Species’***

The Bill proposes to insert a definition of invasive alien species as follows:

*"Invasive alien species" means a species of animal or plant which is not native to India and whose introduction or spread may threaten or adversely impact wildlife or its habitat.'*

The Bill also proposes a new section to regulate the spread of invasive species in India as follows:

*"62A. (1) The Central Government may, by notification, regulate or prohibit the import, trade, possession or proliferation of invasive alien species which pose a threat to the wildlife or habitat in India.*

*(2) The Central Government may authorise the Director or any other officer to seize and dispose of, including through destruction, the species referred to in the notification issued under sub-section (1).*

While introducing a provision to regulate invasive alien species in India is a valuable step, the Act must include a definition of '**invasive native species**' to restrict the spread of Indian species with known invasive properties within their range and beyond.

In some cases, State governments have used species that are non-native to the ecosystem as part of afforestation programs, which have immense ecological impact, altered soil property, and adversely affected local flora and fauna. These species are not legally classified as alien invasive and therefore used extensively in afforestation and restoration programs leading to a cascade of ecological disaster. For instance, Chir Pine (*Pinus roxburghii*) which is native to Himalayas is now considered locally invasive in some areas due to the negative impact on biodiversity and alteration to soil properties.<sup>123</sup> In some cases, species like Katsagoon (*Haplophragma adenophyllum*) which are native to Eastern India, have become invasive in other states due to their utilization in afforestation campaigns, owing to their resilience and quick growth potential.<sup>4</sup>

Similarly, an animal which is considered important or protected in one ecosystem may become invasive in another ecosystem within India. For eg. The population of House Sparrows (*passer domesticus*), which is native to the Indian subcontinent, appears to be decreasing<sup>5</sup>; it is classified as an invasive alien species by the National Biodiversity Authority ("**NBA**") in islands of India.<sup>6</sup> Indian bullfrog, Spotted Deer, Indian Hog Deer, Indian Barking Deer, Asian Elephant are all native to India and protected under Wildlife (Protection) Act 1972 ("**WPA**") but are also designated as invasive alien species for island ecosystems in India by the NBA.<sup>7</sup>

Following are our suggestion to regulate the issue of invasive species in India:

i) The invasive species definition should include two categories of alien invasive species - **Invasive alien species**; and **Invasive native species**

ii) An Advisory committee on Invasive Species may be constituted under the chairmanship of Director-NBA along with representatives from Ministry of Environment, Forest and Climate Change ("**MoEFCC**"), Ministry of Agriculture and representation of State Wildlife Division- on rotational basis- to advise the Central Government on identification and regulation of invasive species in India.

iii) A new Schedule may be added to the WPA listing names of plants, animals and any microorganisms considered as invasive species. The Schedule may initially list 170 species of plants and animals identified as invasive species by the NBA.<sup>8</sup>

iv) The State Governments must have the power to notify any species as 'invasive' within any forest division or administrative units in the state.



Katsagon (*Haplophragma adenophyllum*) plantation in Chandra Prabha Wildlife Sanctuary. Uttar Pradesh. While the tree is known to survive harsh conditions, over the years it replaces native vegetation and replaces a scrub land ecosystem to a wooded ecosystem, eventually leading change in faunal diversity. (Photo: Debadityo Sinha, Chandraprabha Wildlife Division, Varanasi, March 2021)

#### ***4. Declaring a Species as Vermin***

In the present Act, the Central Government can declare any wild animal not listed in Schedule I and part II of the Schedule II as vermin under Section 62. The proposed amendment has reduced the list of wild animals appended to the Act from four schedules to two schedules. In doing so, the Bill now proposes that any wild animal not listed in Schedule I can be declared as vermin, which means that all animals listed in Schedule II can be declared as vermin. The list includes 41 mammals, 864 birds, 12 reptiles, 5 amphibians, 58 insects, 14 molluscs, 10 sponges which may be declared as vermin by the Central Government.

While most of the animals which can be declared vermin in the present Act and the proposed Bill may not have significant differences in composition of species covered- the Central Government must deliberate the justification for declaring a long list of wild animals which may be declared as vermin, as such. Declaration of any wild animal as vermin must be undertaken with utmost caution and scientific rigour.

The purpose of declaration of any animal as vermin has been to control the population of an animal which is beyond management. Such an exercise must be undertaken with utmost caution and respecting the constitutional duty (Article 48A) of the government to protect forests and wildlife. While some states allow killing of animals outside Reserve Forests and Protected Areas<sup>9</sup>, some states have imposed supervision of the Forest Department while culling the animals notified under Schedule V.<sup>10</sup> With no procedure established in the statute, the States have been prescribing their own protocols in exercising their power to cull animals declared as vermin.

For clarity on procedure and ensuring precautions, the Act must prescribe the criteria and process of declaration of an animal as vermin in a time bound manner, outline responsibilities at different levels and ensure transparency of the entire process. Following are our suggestion for the provisions related to declaration of vermin:

***i) Substitute The Term ‘Vermin’ With ‘Problem Animals/ Species’ and Define Criteria***

‘Vermin’ is a derogatory term being used for species in a law that is meant for protection and conservation of wildlife. We strongly suggest that the term be replaced with a scientifically acceptable word which does not stigmatise the animal but indicates a decision taken for management of the ecosystem. One alternative may be to use the term ‘problem animal/species’ instead of vermin.

We also suggest that problem animals must be defined under the Act and specific criteria under which any animal can be notified as a problem animal must be provided. We also suggest that the notification declaring any species as problem animal under Section 62 must be prescribed to be for one month which can be extended subject to review of the situation.

***ii) Declaration of Problem Animals Must Be Limited to A Range and Include Recommendation of Chief Wildlife Warden***

Many of the species which may be declared as problem animals include ungulates such as Spotted Deer or Sambar which are major prey for tigers. While this species may become a problem species in a landscape where it has no natural predators left, the same species may be key to survival of eco-system in another landscape within the same state. With one-third of tigers now residing outside protected areas, conservation of such prey populations becomes very important. Also, many wild animals, especially deers and wild boars, are major hunting targets for meat. In which case, declaration of any species as problem animals may become a target for hunters and lead to extermination of the species as opposed to population control.

We strongly suggest that the Act should clarify that identification of problem animals must be undertaken at district or forest division level only. The final decision for declaration of any species as problem animal may be taken only after recommendation of the CWLW and final approval of the Central Government. Proper record of the population of the species must be maintained and justification backed by an expert review must be provided before declaration of any species as problem animal.

To prevent complete extermination of the species, and its misuse to satisfy the hunting urge of people, the killing of problem animals must be undertaken under the supervision of the Divisional Forest Officer (“**DFO**”) of the concerned areas involved and such deaths must be officially recorded by the Divisional Forest Officer. A weekly status report must be submitted by the concerned DFO to the CWLW. For better implementation of this provision, the concerned DFO must be designated as Nodal Officer, to monitor effective implementation during the period when a species is under declaration as a problem animal.

***iv) Central And State Government to Publish Information Related to Declaration Of Problem Animals And The Status Report On Its Website***

It is suggested that the Central Government must maintain a database of the notifications it publishes under Section 62 on the website of MoEFCC under a separate section with clear

indication of the expiry of the notification and details of the district/forest division where it is applicable. The same shall also be displayed on websites for the concerned State.

#### **v) Feral Population of Domestic/ Tamed Animals Should be Included**

In many wildlife habitats including Protected Areas (“**PA**”), the feral population of dogs and livestock compete directly with the wild animals. In certain areas, the feral dog populations have become a threat to wildlife by killing animals and replacing top carnivores. According to a study, feral dogs in India reportedly attacked 80 species, of which 31 were IUCN Red list threatened species, including four Critically Endangered species.<sup>11</sup> The study also mentions that in 45% of the cases the dogs killed the animals and 48% of the incidents were reported in and around wildlife protected areas. The report Status of Tigers: Co-Predators and Prey in India (2018)<sup>12</sup> by National Tiger Conservation Authority (“**NTCA**”) stated:

*“Feral dogs were detected in most tiger reserves.... Dogs are a threat to both ungulates (which they hunt) and to carnivores, since they carry infectious diseases like rabies, parvovirus, and distemper.”*

Similarly, the feral population of livestock within a wildlife sanctuary pose a serious threat to native herbivores by directly competing for resources, causing damage due to soil compaction, and wiping out palatable grasses due to overgrazing.



Feral dogs attacking a Spotted Deer. Managing feral dogs is one of the major challenges towards wildlife conservation in India. Without any legislation to manage dog populations in wildlife habitats, forest managers find it difficult to check such incidents. (Photo: Vikas Patil/BBC)

Studies indicate that 60% of Emerging Infectious Diseases — such as HIV, Ebola, SARS, Covid-19 — affecting humans, are zoonotic in origin and approximately 72% of these originate in wildlife.<sup>13</sup>

We strongly suggest that the proposed amendment must include a clause on declaring feral animals (including dogs and livestock) in and around wildlife habitat as a problem animal. Permissions to control the population of feral animals should have an overriding effect on any other laws (e.g., Prevention of Cruelty to Animals Act, 1960).

## ***5. Clarity on Transfer and Interstate Transport of Live Elephants (Amendment to Section 43)***

Section 43 (1) prohibits commercial transfer of captive animal, animal article, trophy or uncured trophy by the person holding ownership certificate. Section 43 (2) mandates reporting of interstate transport of animal, animal article, trophy, or uncured trophy by holder of the ownership certificate to CWLW/ authorised officer. The newly inserted Section 43 (4) states that:

*"This section shall not apply to the transfer or transport of any live elephant by a person having a certificate of ownership, where such person has obtained prior permission from the State Government on fulfilment of such conditions as may be prescribed by the Central Government."*

The section is unclear as to the meaning of '*prior permission of State Government*' and which State government such permission must be obtained from- whether from the originating state or the state to which transfer/ transport has occurred. It must be clarified that intimation of transfer/ interstate transport of Elephants must be made to the respective CWLWs/ authorised officials.

It is necessary in the interest of elephant protection, that any transfer or inter-state transport be notified to the CWLW or authorised official of the jurisdiction where the Elephant has been transferred or transported from and the jurisdiction to which the Elephant has been transferred or transported to. Such a record must be maintained by the respective CWLWs or authorised officials.

# B. Suggestions on the Amendments Related to Regulation of International Trade/ CITES compliance

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The Bill proposes to insert a new Chapter VB titled '*Regulation of International Trade in Endangered Species of Wild Fauna and Flora as per Convention on International Trade in Endangered Species of Wild Fauna and Flora*'. Following are detailed comments and suggestions on this chapter.

## ***1. Compliance with CITES Definitions***

Several terms used in the amendment require definitions to be brought in line with Convention on International Trade in Endangered Species of Wild Fauna and Flora ("**CITES**") requirements:

i) As per the amendment, Section 49D(a) defines '**artificially propagated**' to '*mean plants which have been grown under controlled conditions from plant materials grown under similar conditions*.'

The term '*similar conditions*' is ambiguous. Therefore, it is advisable that artificially propagated be defined as to '*plants grown under controlled conditions from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules that either are exempt from the control of the Convention or have been derived from cultivated parental stock*' to comply with the Model CITES Law.<sup>14</sup>

ii) The term '**captivity**' must be replaced with the more comprehensive term '**controlled environment**' or incorporate the definition as proposed under the CITES Model Law. For the purposes of the amendment, captivity may be defined as

*'Environment that is manipulated for the purpose of producing animals of a particular species, that has boundaries designed to prevent animals, eggs or gametes of the species from entering or leaving the controlled environment, and the general characteristics of which may include but are not limited to artificial housing; waste removal; health care; protection from predators; and artificially supplied food.'*<sup>15</sup>

iii) The Bill mentions '**derivatives**' on several occasions, including under Section 49 D (n), to define the term '*specimen*'. However, the Bill does not define derivatives.

The Model CITES Law, defines "derivatives" in *relation to an animal, plant or other organism, to mean any part, tissue or extract, of an animal, plant or other organism, whether fresh, preserved or processed, and includes any chemical compound derived from such part, tissue or extract.*<sup>16</sup>

This definition may be adopted under the amendment.

## ***2. Clarification of Import in The Context of Transit or Trans-shipment***

The terms '**transit**' and '**trans-shipment**' have not been defined in the Bill. It is pertinent to note that CITES applies to import but not transit/ trans-shipment. Therefore, clarity on the difference between the two is necessary. Currently, import may be understood to mean the release of specimens after Customs clearance. However, import may also mean any introduction into the national territory, whatever the Customs procedure under which the specimens have been placed, including their introduction into Customs free zones, free ports, or bonded warehouses or for temporary storage.<sup>17</sup> This ambiguity must be resolved.

Resolution of Conference of the Parties No. 4.10 under CITES contains a definition of transit and trans-shipment which makes it clear that it *"refers to specimens that remain in Customs control and are in the process of shipment to a named consignee when any interruption in the movement arises only from the arrangements necessitated by this form of traffic."*<sup>18</sup> This definition may be adopted under the Bill. Thus, the introduction of specimens under any Customs procedure other than transit and trans-shipment should be considered as an import under CITES.<sup>19</sup>

However, Conference of the Parties No. 7.4, recommends that *"Parties may inspect, to the extent possible under their national legislation, specimens in transit or being transhipped, to verify the presence of a valid CITES permit or certificate as required under the Convention or to obtain satisfactory proof of its existence"* and *"adopt legislation allowing them to seize and confiscate transit shipments without valid permit or certificate or proof of the existence."*<sup>20</sup> This is in furtherance of CITES implementation and to introduce checks on illegal transits or trans-shipments. Additionally, provision to this effect may be adopted either in the Bill or rules that may be framed thereof. "

## ***3. Function & Responsibilities of Management & Scientific Authorities***

Management & Scientific Authorities have been constituted under Section 49E & 49F of the Bill. The legislative establishment of these authorities is appreciable and necessary.

The functions and responsibilities of Management authorities are mentioned under Section 49E (2) & (3). The functions are issuance of permits and certificates for trade of scheduled specimens. It is advisable that basic functions of the Management Authority must be outlined in the Amendment. Specifically, it must include the following:

- The power of Management Authorities to advise Central Government on CITES implementation
- The mandate of Management authority to conduct training & awareness programs on CITES for relevant officials & organisations,
- The Power of the Authority to communicate with the Secretariat and other countries on scientific, administrative, enforcement and other issues related to implementation of the Convention

These are functions as prescribed under the Model CITES Law, as well as provisions embedded in legislations of countries such as South Africa<sup>21</sup>.

Additionally, the Scientific Authority designated under Section 49F must have the additional function of advising the Management Authority on the choice of a rescue centre or other place for the disposal of confiscated specimens.

#### ***4. Export Permits Must Incorporate IATA Standards for Transportation***

Incorporation of Live Animals Regulations of the International Air Transport Association (“**IATA**”) has been recommended under the Model CITES Law. Conference of the Parties No. 7.13 recommends that IATA Live Animals Regulations are deemed to meet the CITES Guidelines in respect of air transport.

IATA is the worldwide standard for transporting live animals by commercial airlines. Whether it is a pet, an animal transported for zoological or agricultural purposes or for any other reason, the objective of the Live Animal Regulation is to ensure that all animals are transported safely and humanely by air<sup>22</sup>. In a Directive of 1991 on the transport of live animals, the European Community requires that CITES specimens are transported in conformity with the latest CITES Guidelines or IATA Regulations, while United States has laid down its own detailed "Standards for the Humane and Healthful Transport of Wild Mammals and Birds to the United States" with which the exporters of wildlife to the United States must comply.<sup>23</sup>

In the absence of any specific live animal air transport regulation in India, incorporation of the IATA is advisable.

#### ***5. Reasoning for Exemptions Under Section 49 M (1) Must Be Given in Writing***

As per the proposed Section 49M (1) the Central government is empowered to exempt one or more specimens of any animal species included in Schedule IV from the requirement to report possession of such specimens to the Management Authority. To ensure transparency, it is advisable that the Act mandate that every exemption under the section be accompanied by a written statement on reason/ rationale for exemption and a mandatory public consultation must be held.

# C. Additional Suggestions

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## *1. Protection of Wildlife Habitats Beyond Protected Areas*

The WPA in its present form adopts an approach of declaring areas as PAs, which included Wildlife Sanctuaries, National Parks and Conservation/Community Reserves for protection of wildlife. As of March 2021, India has managed to add 981 PAs which account for approximately 5% of its geographical area under PA, spread over 104 National Parks, 566 Wildlife Sanctuaries, 97 Conservation Reserves and 214 Community Reserves.<sup>24</sup> Most of these PAs are administrative boundaries created out of convenience, and may not have any conservation benefit as they do not necessarily overlap with the ecological boundaries of wildlife.

Majority of the wildlife use areas outside PAs for access to food, water, and survival. With 22% of India's geographical land under forest cover<sup>25</sup> and just 5% of the land under the PA network, a large tract of wildlife habitats in India still falls under Reserve/Protected Forests and private lands which are regulated under Indian Forest Act 1927 ("**IFA**") and other state legislations. They act as important wildlife refuge and connectors with the more strongly guarded, but scattered, network of PAs across the country. A significant population of big carnivores such as Striped Hyena, Dhole, Sloth Bear, Grey Wolf, Golden Jackal are found in areas outside the PAs and use the same for breeding as well as for other survival needs.<sup>26,27</sup> As per the latest Tiger Census, nearly one-third of the tigers live outside protected areas in India.<sup>28</sup> However, despite being home to rich biodiversity and protected wildlife, such forests are never given legal protection as that of a PA.<sup>29,30</sup>

The connectivity among PAs and habitats in such state managed forests and private lands are increasingly being obstructed due to various land use, land cover changes and are also one of the most human-dominated wildlife areas, prone to heightened human-wildlife conflict and poaching. These habitats remain neglected under India's wildlife law. There is growing consensus on the importance of protecting wildlife corridors and habitats outside PAs scientifically as well as legally.<sup>31,32</sup>

The WPA provides limited protection to forests outside PAs. These wildlife habitats are neither properly managed nor protected. It is also worth mentioning that the State Forest Divisions outside PAs lack the support, capacity, and knowledge to manage wildlife. Except for the NTCA, which protects tiger reserves, it is unusual for agencies under the WPA to intervene in wildlife habitat protection in such areas. This is in contrast with PAs, which are specifically designated under the WPA. Any developmental or industrial activity involving the use of PAs require prior recommendation of the NBWL, but this is not required outside PAs and their designated buffer/eco sensitive zones.<sup>33</sup>

Further, it is difficult to protect those wildlife habitats outside PAs that are not part of any State regulated forests such as habitats which constitute grassland ecosystems, floodplains of rivers, wetlands which are habitat and nesting sites of important species, river channels and other migration routes.

The proposed amendment must include a section to mandate the Central and State government to protect and conserve areas outside PAs which are known and recognized as wildlife habitats. The Bill also misses an opportunity to recognize and protect wildlife corridors and important migratory routes and flyways<sup>34</sup>.

Thus, we suggest that a separate section 36 E on '**Deemed Wildlife Reserve**' should be inserted for areas protected as Forests (IFA and other State Forest regulations) which has recorded wildlife presence or recognized as wildlife corridors. Such Deemed Wildlife Reserve may be continued to be managed under the Working Plans of the respective State Forest Divisions; however, provisions of Section 29 must apply to them.

## ***2. Establish A Central Wildlife Authority***

Statutory bodies like the Wildlife Crime Control Bureau ("**WCCB**") cannot exercise independent authority to curb poaching and are reliant instead on state forest officers. Other bodies like the NBA and State Biodiversity Boards under the Biodiversity Act, 2002, and the National and State Boards of Wildlife are advisory in nature and lack teeth to take measures to protect wildlife. Areas outside PAs are one of the most threatened habitats in terms of both human-wildlife conflict and poaching due to reduced restrictions and monitoring. Even the areas falling under the PA network suffer from lack of adequate training and knowledge of forest staff to manage wildlife.<sup>35</sup>

The working plans of all forest divisions (including non-wildlife division) in India should compulsorily include wildlife conservation plans, efficient monitoring mechanisms and measures for mitigating human-wildlife conflicts. Comprehensive management of this kind requires an expert body that can assume primary responsibility for the protection of wildlife habitats and advise governments on all matters related to wildlife management and human-wildlife interaction. The Vidhi's Briefing Book 2020 titled '*Towards A Post-Covid India: 25 governance challenges and legal reforms*'<sup>36</sup> suggested creation of an independent Wildlife Authority to address some of these limitations. The proposed reforms are as follows:

- I. Establish a '**National Wildlife Protection Authority**' ("**NWPA**") under the WPA, with powers like the NTCA, but with wider jurisdiction for the protection of all scheduled wildlife species and their habitats, irrespective of the ownership of land. The NWPA should have at least 10 regional headquarters representing each biogeographic zone assisted by the Regional Offices of the MoEFCC.
- II. Bring all wildlife-related departments and agencies (including the NTCA, the NBWL and the WCCB) under the authority of the NWPA.
- III. Confer powers on the NWPA to approve working plans and other management activities proposed by forest divisions. The NWPA must ensure their compatibility with regional wildlife requirements, prevent ecologically unsustainable land use, frame guidelines, facilitate research, organise the training of frontline staff in the management of human-wildlife interaction and facilitate community-driven conservation efforts.

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