

Wildlife Act





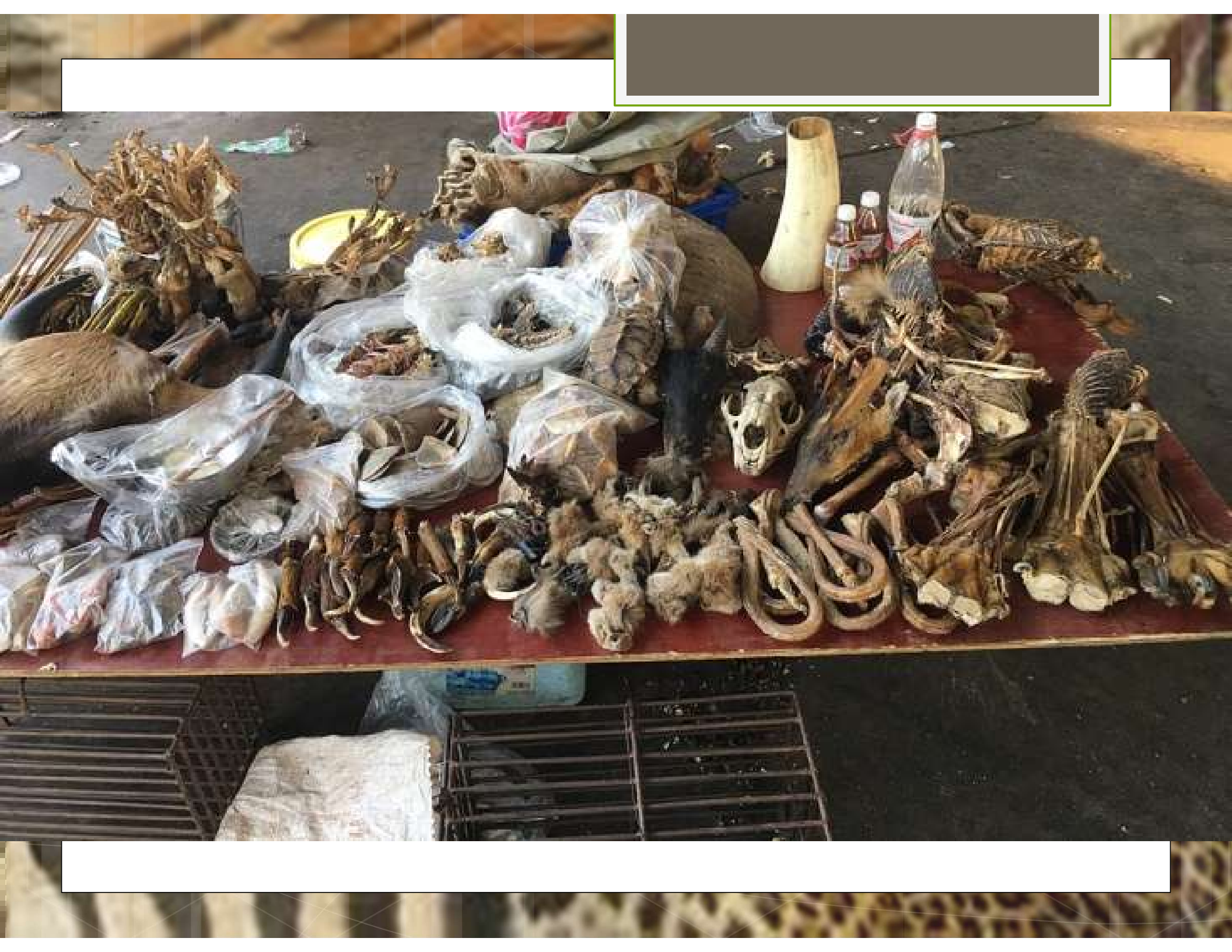












Definitions under Sec 2

- (15) "habitat" includes land, water or vegetation which is the natural home of any wild animal;
- (16) "hunting", with its grammatical variations and cognate expressions, includes,-
 - (a) capturing, killing, poisoning, snaring and trapping of any wild animal and every attempt to do so,
 - (b) driving any wild animal for any of the purposes specified in sub-clause (a),
 - (c) injuring or destroying or taking any part of the body of any such animal or, in the case of wild birds or reptiles, damaging the eggs of such birds or reptiles or disturbing the eggs or nests of such birds or reptiles;

- (31) "trophy" means the whole or any part of any captive animal or wild animal, other than vermin, which has been kept or preserved by any means, whether artificial or natural, and includes-
 - (a) rugs, skins and specimens of such animal mounted in whole or in part through a process of taxidermy, and
 - (b) antler, horn, rhinoceros horn, hair, feather, nail, tooth, musk, eggs and nests;
- (36) "wild animal" means any animal found wild in nature and includes any animal specified in Schedule I, Schedule II, Schedule III, Schedule IV or Schedule V, wherever found;
- (37) "wild life" includes any animal, bees, butterflies, crustacea, fish and moths; and aquatic or land vegetation which form part of any habitat;

Sec 11: Hunting of Wild Animals

11. Hunting of wild animals to be permitted in certain cases

- (a) the Chief Wild Life Warden may, if he is satisfied that
- any wild animal specified in Schedule I has become dangerous to human life or
- is so disabled or diseased as to be beyond recovery,
- by order in writing and stating the reasons therefor,
- permit any person to hunt such animal or cause such animal to be hunted;
- (b) the Chief Wild Life Warden **or the authorized officer may**, if he is satisfied that any wild animal specified in Schedule II, Schedule III, or Schedule IV has become dangerous to human life **or to property** (including standing crops on any land) or is so disabled or diseased as to be beyond recovery, by order in writing and stating the reasons therefor, permit any person to hunt such animal or cause such animal to be hunted.

- (2) The killing or wounding in good faith of any wild animal in defense of oneself or of any other person shall not be an offence :
- **Provided** that nothing in this sub-section shall exonerate any person who, when such defense becomes necessary, was committing any act in contravention of any provision of this Act or any rule or order made thereunder.
- (3) Any wild animal killed or wounded in defense of any person shall be Government property.

12. Grant of permit for special purposes

It shall be lawful for the Chief Wild Life Warden, to grant a permit, by an order in writing stating the reasons therefor, to any person, on payment of such fee as may be prescribed, which shall entitle the holder of such permit to hunt subject to such conditions as may be specified therein, any wild animal specified in such permit, for the purpose of,-

- (a) education;
- [(b) scientific research;
- (bb) scientific Management.

Explanation.-For the purposes of clause (bb), the expression, "Scientific Management" means-

- (i) translocation of any wild animal to an alternative suitable habitat; or
- (ii) population management of wildlife without killing or poisoning or destroying any wild animals;]

12. Grant of permit for special purposes

- (c) collection of specimens-

(i) for recognized zoos subject to the permission under section 38; or

(ii) for museums and similar institutions;

- (d) derivation, collection or preparation of snake-venom for the manufacture of life-saving drugs:]

²²**[Provided** that no such permit shall be granted-

(a) in respect of any wild animal specified in Schedule I, except with the previous permission of the Central Government, and

(b) in respect of any other wild animal, except with the previous permission of the State Government.]

²³**[***]**

CHAPTER-III A]

PROTECTION OF SPECIFIED PLANTS

- 17A. Prohibition of picking, uprooting, etc., of specified plants

No person shall –

- (a) willfully pick, uproot, damage destroy, acquire or collect any specified plant from any forest land and area specified, by notification, by the Central Government,
- (b) possess, sell, offer for sale, or transfer by way of gift or otherwise, or transport any specified plant, whether alive or dead, or part or derivative thereof :
- Provided that nothing in this section shall prevent a member of a scheduled tribe, subject to the provisions of Chapter IV, from picking, collecting or possessing in the district he resides any specified plant or part or derivative thereof for his bona fide personal use.

17B. Grant of permit for special purpose

- 17B. Grant of permit for special purpose
- –. The Chief Wild Life Warden may with the previous permission of the State Government, grant to any person a permit to pick, uproot, acquire or collect from a forest land or the area specified under section 17A or transport, subject to such conditions as may be specified therein, any specified plant for the purpose of
- (a) education;
- (b) scientific research.,
- (c) collection, preservation and display in a herbarium of any scientific institutions; or
- (d) propagation by a person or an institution approved by the Central Government in this regard.



**Rauwolfia
serpentina**





India's Endangered Plant Species



Ending cross

Cycas revoluta





Orchids



Declaration of area as Sanctuary.

- **Sec 18** –Declaration of area which is considered by the State Government to be of adequate ecological, faunal, geomorphological, natural or zoological significance for the purpose of protecting, propagating or developing wildlife or its environment, as a sanctuary.
- **Sec 18A** —Area not within reserve forest—sec 27 to sec 33A apply
Alternative arrangement of fodder, fuel, and forest produce until settlement of claims(under 19-24)
- **Sec18 B**---Appointment of Collector within 30 days of notification
- **Sec19** –collector to inquire existence ,extent of rights in area of sanctuary.
- **Sec 20** —no right shall be acquired in the land after declaration u/Sec18, except by succession .

21. Proclamation by Collector

- When a notification has been issued under section 18, the Collector shall publish in the regional language in every town and village in or in the neighborhood of the area comprised therein, a proclamation
- (a) specifying, as nearly as possible, the situation and the limits of the sanctuary; and
- (b) requiring any person, to prepare before the Collector, within two months from the date of such proclamation, a written claim in the prescribed form, specifying the nature and extent of such right with necessary details and the amount and particulars of compensation, if any, claimed in respect thereof.

23. Powers of Collector

- For the purpose of such inquiry, the Collector may exercise the following powers, namely:-
 - (a) the power to enter in or upon any land and to survey, demarcate and make a map of the same or to authorize any other officer to do so;
 - (b) the same powers as are vested in a civil court for the trial of suits.

24. Acquisition of rights

- (1) The Collector shall pass an order admitting or rejecting the claim in whole or in part.
 - (2) If such claim is admitted in whole or in part, the Collector may either-
 - (a) exclude such land from the limits of the proposed sanctuary, or
 - (b) proceed to acquire such land or rights, on payment of such compensation, as is provided in the Land Acquisition Act, 1894.
- except where by an agreement between the owner of such land or holder of rights and the Government, the owner or holder of such rights has agreed to surrender his rights to the Government, in or over such land, and
- ²⁸[(c) allow, in consultation with the Chief Wild Life Warden, the continuation of any right of any person in or over any land within the limits of the sanctuary.]

(26A) Declaration of area as Sanctuary.

–(1) When –

- (a) a notification has been issued under sec.18 and the period for preferring claim has elapsed, and all claims have been disposed of by the State Government; or
- (b) any area comprised within any reserve forest or any part of the territorial waters, which is considered by the State Government to be of adequate ecological, faunal, geomorphological, natural or zoological significance for the purpose of protecting, propagating or developing wildlife or its environment, is to be included in a sanctuary, the State Government shall issue a notification specifying the limits of the area which shall be comprised within the sanctuary and declare that the said area shall be sanctuary on and from such date as may be specified in

the notification

Sec 27 :Restrictions on entry in Sanctuary.

(1) No person other than,-
(a) a public servant on duty,

(b) a person who has been permitted by the Chief Wild Life Warden or the authorized officer to reside within the limits of the sanctuary,

(c) a person who has any right over immovable property within the limits of the sanctuary,

(d) a person passing through the sanctuary along a public highway, and

(e) the dependants of the person referred to in clause (a), clause (b) or clause (c), shall enter or reside in the sanctuary, except under and in accordance with the conditions of a permit granted under section

28.

Sec 27 :Restrictions on entry in Sanctuary.

(2) Every person shall, so long as he resides in the sanctuary, be bound-

(a) to prevent the commission, in the sanctuary, of an offence against this Act;

(b) where there is reason to believe that any such offence against this Act has been committed in such sanctuary, to help in discovering and arresting the offender;

(c) to report the death of any wild animal and to safeguard its remains until the Chief Wild Life Warden or the authorized officer takes charge thereof;

Restrictions on entry in Sanctuary.

(d) to extinguish any fire in such sanctuary of which he has knowledge or information and to prevent from spreading, by any lawful means in his power, any fire within the vicinity of such sanctuary of which he has knowledge or information; and

(e) to assist any Forest Officer, Chief Wild Life Warden, Wild Life Warden or Police Officer demanding his aid for preventing the commission of any offence against this Act or in the investigation of any such offence.

29. Destruction, etc., in a sanctuary prohibited without permit (AA 2000)

- No person shall, except under and in accordance with a permit granted by the Chief Wild Life Warden,
 - destroy, exploit or remove any wild life from a sanctuary or
 - destroy or damage the habitat of any wild animal or deprive any wild animal of its habitat within such sanctuary and
 - divert, stop or enhance the flow of water into or outside the Sanctuary.
- no such permit shall be granted unless the State Government, being satisfied that such destruction, exploitation or removal of wild life from the sanctuary is necessary for the improvement and better management of wild life therein, authorizes the issue of such permit.
- Explanation.-For the purposes of this section, grazing or movement of live-stock permitted under clause (d) of section 33 shall not be deemed to be an act prohibited under this section.

33. Control of sanctuaries

The Chief Wild Life Warden shall be the authority who shall control, manage and maintain all sanctuaries and for that purpose, within the limits of any sanctuary,-

(a) may construct such roads, bridges, buildings, fences or barrier gates, and carryout such other works as he may consider necessary for the purposes of such sanctuary;

(b) shall take such steps as will ensure the security of wild animals in the sanctuary and the preservation of the sanctuary and wild animals therein;

(c) may take such measures, in the interests of wild life, as he may consider necessary for the improvement of any habitat;

(d) may regulate, control or prohibit, in keeping with the interests of wild life, the grazing or movement of ³²[live-stock].

35. Declaration of National Parks.

- (1) Whenever it appears to the State Government that an area, whether within a sanctuary or not, is, by reason of its ecological, faunal, floral, geomorphological or zoological association or importance, needed to be constituted as a National Park for the purpose of protecting, propagating or developing wild life therein or its environment, it may, by notification, declare its intention to constitute such area as a National Park:

Central Zoo Authority and regulation of Zoos

38A. Constitution of Central Zoo Authority

(1) The Central Government shall constitute a body to be known as the Central Zoo Authority (hereinafter in this Chapter referred to as the Authority), to exercise the powers conferred on, and to perform the functions assigned to it under this Act.

(2) The Authority shall consist of-

(a) chairperson;

(b) such number of members not exceeding ten; and

(c) member-secretary, to be appointed by the Central Government.

38C. Functions of the Authority

The Authority shall perform the following functions, namely:-

- (a) specify the minimum standards for housing, upkeep and veterinary care of the animals kept in a zoo;
- (b) evaluate and assess the functioning of zoos with respect to the standards or the norms as may be prescribed;
- (c) recognize or derecognize zoos;
- (d) identify endangered species of wild animals for purposes of captive breeding and assigning responsibility in this regard to a zoo;

38C. Functions of the Authority

- (e) co-ordinate the acquisition, exchange and loaning of animals for breeding purposes;
- (f) ensure maintenance of stud-books of endangered species of wild animals bred in captivity;
- (g) identify priorities and themes with regard to display of captive animals in a zoo;
- (h) co-ordinate training of zoo personnel in India and outside India;

38C. Functions of the Authority

- (i) co-ordinate research in captive breeding and educational programmes for the purposes of zoos;
- (j) provide technical and other assistance to zoos for their proper management and development on scientific lines;
- (k) perform such other functions as may be necessary to carry out the purposes of this Act with regard to zoos