

Wildlife Protection Act, 1972 - UPSC Notes

The Indian Parliament enacted the Wildlife (Protection) Act in 1972, which provides for the safeguard and protection of the wildlife (flora and fauna) in the country. This is an important legislation and forms an integral part of the environment and ecology sections of the [UPSC syllabus](#).

Wildlife Protection Act, 1972

This Act provides for the protection of the country's wild animals, birds and plant species, in order to ensure environmental and ecological security. Among other things, the Act lays down restrictions on hunting many animal species. The Act was last amended in the year 2006. An Amendment bill was introduced in the Rajya Sabha in 2013 and referred to a Standing Committee, but it was withdrawn in 2015.

Constitutional Provisions for the Wildlife Act

Article 48A of the Constitution of India directs the State to protect and improve the environment and the safeguard wildlife and forests. This article was added to the Constitution by the [42nd Amendment](#) in 1976.

Article 51A imposes certain [fundamental duties](#) for the people of India. One of them is to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.

History of wildlife protection legislation in India

- The first such law was passed by the British Indian Government in 1887 called the Wild Birds Protection Act, 1887. The law made the possession and sale of wild birds which were either killed or captured illegal.
- A second law was enacted in 1912 called the Wild Birds and Animals Protection Act. This was amended in 1935 when the Wild Birds and Animals Protection (Amendment) Act 1935 was passed.
- During the British Raj, wildlife protection was not accorded a priority. It was only in 1960 that the issue of protection of wildlife and the prevention of certain species from becoming extinct came into the fore.

Need for the Wildlife Protection Act

Wildlife is a part of 'forests' and this was a state subject until the Parliament passed this law in 1972. Reasons for a nationwide law in the domain of environment particularly wildlife include the following:

1. India is a treasure-trove of varied flora and fauna. Many species were seeing a rapid decline in numbers. For instance, at the turn of the 20th century, India was home to close to 40000 tigers. By the seventies, this number drastically reduced to about 1820.
2. A drastic decrease in the flora and fauna can cause ecological imbalance, which affects many aspects of climate and the ecosystem.
3. The most recent Act passed during the British era in this regard was the Wild Birds and Animals Protection, 1935. This needed to be upgraded as the punishments awarded to poachers and traders of wildlife products were disproportionate to the huge financial benefits that accrue to them.
4. There were only five national parks in India prior to the enactment of this Act.

Salient Features of Wildlife Protection Act

This Act provides for the protection of a listed species of animals, birds and plants, and also for the

establishment of a network of ecologically-important protected areas in the country.

- The Act provides for the formation of wildlife advisory boards, wildlife wardens, specifies their powers and duties, etc.
- It helped India become a party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (**CITES**).
 - CITES is a multilateral treaty with the objective of protecting endangered animals and plants.
 - It is also known as the **Washington Convention** and was adopted as a result of a meeting of [IUCN](#) members.
- For the first time, a comprehensive list of the endangered wildlife of the country was prepared.
- The Act **prohibited the hunting of endangered species**.
- Scheduled animals are prohibited from being traded as per the Act's provisions.
- The Act provides for licenses for the sale, transfer and possession of some wildlife species.
- It provides for the establishment of wildlife sanctuaries, national parks, etc.
- Its provisions paved the way for the formation of the **Central Zoo Authority**. This is the central body responsible for the oversight of zoos in India. It was established in 1992.
- The Act created **six schedules** which gave varying degrees of protection to classes of flora and fauna.
 - Schedule I and Schedule II (Part II) get absolute protection and offences under these schedules attract the maximum penalties.
 - The schedules also include species which may be hunted.
- The **National Board for Wildlife** was constituted as a statutory organisation under the provisions of this Act.
 - This is an advisory board that offers advice to the central government on issues of wildlife conservation in India.
 - It is also the apex body to review and approve all matters related to wildlife, projects of national parks, sanctuaries, etc.
 - The chief function of the Board is to promote the conservation and development of wildlife and forests.
 - It is chaired by the Prime Minister.
- The Act also provided for the establishment of the **National Tiger Conservation Authority**.
 - It is a statutory body of the Ministry of Environment, Forest and Climate Change with an overall supervisory and coordination part, performing capacities as given in the Act.
 - Its mandate is to strengthen [tiger conservation in India](#).
 - It gives statutory authority to **Project Tiger** which was launched in 1973 and has put the endangered tiger on a guaranteed path of revival by protecting it from extinction.

Protected Areas under the Wildlife Protection Act

There are five types of protected areas as provided under the Act. They are described below.

1. Sanctuaries: "Sanctuary is a place of refuge where injured, abandoned and abused wildlife is allowed to live in peace in their natural environment without any human intervention."

1. They are naturally-occurring areas where endangered species are protected from poaching, hunting and predation.
2. Here, animals are not bred for commercial exploitation.
3. The species are protected from any sort of disturbance.
4. Animals are not allowed to be captured or killed inside the sanctuaries.
5. A wildlife sanctuary is declared by the State government by a Notification. Boundaries can be altered by a Resolution of the State Legislature.
6. Human activities such as timber harvesting, collecting minor forest products and private ownership

rights are permitted as long as they do not interfere with the animals' well-being. **Limited human activity is permitted.**

7. They are open to the general public. But people are not allowed unescorted. There are restrictions as to who can enter and/or reside within the limits of the sanctuary. Only public servants (and his/her family), persons who own immovable property inside, etc. are allowed. People using the highways which pass through sanctuaries are also allowed inside.
8. Boundaries of sanctuaries are not generally fixed and defined.
9. Biologists and researchers are permitted inside so that they can study the area and its inhabitants.
10. The **Chief Wildlife Warden (who is the authority to control, manage and maintain all sanctuaries)** may grant permission to persons for entry or residence in the sanctuary for the study of wildlife, scientific research, photography, the transaction of any lawful business with persons residing inside, and tourism.
11. Sanctuaries can be upgraded to the status of a 'National Park'.
12. **Examples:** Indian Wild Ass Sanctuary (Rann of Kutch, Gujarat); Vedanthangal Bird Sanctuary in Tamil Nadu (oldest bird sanctuary in India); Dandeli Wildlife Sanctuary (Karnataka).

2. National Parks: "National Parks are the areas that are set by the government to conserve the natural environment."

1. A national park has more restrictions as compared to a wildlife sanctuary.
2. National parks can be declared by the State government by Notification. No alteration of the boundaries of a national park shall be made except on a resolution passed by the State Legislature.
3. The main objective of a national park is to protect the natural environment of the area and biodiversity conservation.
4. The landscape, fauna and flora are present in their natural state in national parks.
5. Their boundaries are fixed and defined.
6. Here, **no human activity is allowed.**
7. Grazing of livestock and private tenurial rights are not permitted here.
8. Species mentioned in the Schedules of the Wildlife Act are not allowed to be hunted or captured.
9. No person shall destroy, remove or exploit any wildlife from a National Park or destroy or damage the habitat of any wild animal or deprive any wild animal of its habitat within a national park.
10. They cannot be downgraded to the status of a 'sanctuary'.
11. **Examples:** Bandipur National Park in Karnataka; Hemis National Park in Jammu & Kashmir; Kaziranga National Park in Assam. See more on [List of National Parks in India](#).

3. Conservation Reserves: The State government may declare an area (particularly those adjacent to sanctuaries or parks) as conservation reserves after consulting with local communities.

4. Community Reserves: The State government may declare any private or community land as a community reserve after consultation with the local community or an individual who has volunteered to conserve the wildlife.

5. Tiger Reserves: These areas are reserved for the protection and conservation of tigers in India. They are declared on the recommendations of the National Tiger Conservation Authority.

The amended Wildlife Act doesn't allow any commercial exploitation of forest produce in both wildlife sanctuaries and national parks, and local communities are allowed to collect forest produce only for their bona fide requirements.

Schedules of the Wildlife Protection Act

There are six schedules provided in the Wildlife Protection Act. They are discussed in the table below.

<p>Schedule I</p> <ul style="list-style-type: none"> • This Schedule covers endangered species. • These species need rigorous protection and therefore, the harshest penalties for violation of the law are for species under this Schedule. • Species under this Schedule are prohibited to be hunted throughout India, except under threat to human life. • Absolute protection is accorded to species in this list. • Trade of these animals is prohibited. • Examples: tiger, blackbuck, Himalayan Brown Bear, Brow-Antlered Deer, Blue whale, Common Dolphin, Cheetah, Clouded Leopard, hornbills, Indian Gazelle, etc. 	<p>Schedule II</p> <ul style="list-style-type: none"> • Animals under this list are also accorded high protection. • Their trade is prohibited. • They cannot be hunted except under threat to human life. • Examples: Kohinoor (insect), Assamese Macaque, Bengal Hanuman langur, Large Indian Civet, Indian Fox, Larger Kashmir Flying Squirrel, Kashmir Fox, etc.
<p>Schedule III & IV</p> <ul style="list-style-type: none"> • This list is for species that are not endangered. • This includes protected species but the penalty for any violation is less compared to the first two schedules. • Examples: hyena, Himalayan rat, porcupine, flying fox, Malabar tree toad, etc. 	<p>Schedule V</p> <ul style="list-style-type: none"> • This schedule contains animals which can be hunted. • Examples: mice, rat, common crow, fruit bats, etc.
<p>Schedule VI</p> <ul style="list-style-type: none"> • This list contains plants that are forbidden from cultivation. • Examples: pitcher plant, blue vanda, red vanda, kuth, etc. 	

UPSC Questions related to Wildlife Protection Act, 1972

How many Schedules are there in Wildlife Protection Act 1972?

There are six schedules under the Act.

In which state Wildlife Protection Act is not applicable?

The Act is applicable throughout India.

What steps have been taken by the government to conserve wildlife?

The government enacted the Wildlife (Protection) Act in 1972 which laid down a comprehensive set of rules and regulation with respect to the protection of wildlife in India. It laid down the provisions for the setting up of national parks, wildlife sanctuaries, etc. Project Tiger is being implemented which has caused the dwindling tiger population to increase. The country saw a 30% rise in the tiger population from 2010 to 2014.

What are the major threats to wildlife?

Some of the major threats of wildlife are:

1. Habitat destruction/degradation/fragmentation
2. Overexploitation of habitat resources
3. Hunting
4. Poaching
5. Climate change
6. Pollution

How does extinction of species affect the environment?

Every living thing on this planet has a role to play in the ecosystem and the food chain. The extinction of any one species will have an impact on forests, cause loss of food for certain species, affect the way diseases travel in the animal world, etc.

