

# The Wild life (Protection) Amendment Act, 2022

## Amendment to Preamble

It amends the Preamble to the Principal Act to include the aspects of 'conservation' and 'management' of wild life along with the existing provision of protection of wild animals, birds and plants.

## IAS

Defines invasive alien species. IAS means a species of animal or plant which is not native to India and whose introduction or spread may threaten or adversely impact wild life or its habitat.

Empowers Central Government to regulate or prohibit the import, trade, possession or proliferation of invasive alien species.

## Rationalisation of Schedules

It rationalises Schedules appended to WPA 1972, reduces the number of Schedules from earlier six to four.

Earlier, WPA 1972 broadly had two classes of wild animals: (a) species listed in Schedule I and Part II of Schedule II; and (b) species listed in Part I of Schedule II, Schedule III, and Schedule IV. Species listed in Schedule I and Part II of Schedule II are provided more protection (for example their commercial trade is prohibited and their possession requires an ownership certificate) and penalties for offences involving these are higher.

Now it places the protected animal species in two Schedules: (a) Schedule I specifying the animal species with the highest level of protection. (b) Schedule II specifying the animal species with a lesser level of protection.

Schedule III specifies the protected plant species.

It added a Schedule IV specifying the species listed in the Appendices to the CITES Convention.

It deleted the schedule in which vermin species were listed (Schedule V). Now these species can simply be notified by the central government.

## CITES Compliance

Amendment act provides for the for the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). India is a party to CITES that was adopted at Washington D.C. (USA) on 3<sup>th</sup> March, 1973. It is an international agreement between governments aimed to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species.

The Central Government shall designate an officer not below the rank of an Additional Director General of Forests as the Management Authority and shall be responsible for issuance of permits and certificates for trade of scheduled specimens in accordance with the Convention.

The Central Government shall designate one or more institutes engaged in research on species as Scientific Authority that shall advise the Management Authority in matters referred to it and monitor the export permits granted for species listed in Appendix II of Schedule IV.

Every person engaging in trade of a scheduled specimen shall report the details to the Management Authority.

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Every person breeding in captivity or artificially propagating species listed on Appendix I of Schedule IV shall apply for registration to the Chief Wild Life Warden, who may after satisfaction, issue a certificate of registration to the applicant.

An exception to the requirement to obtain permission from the Chief Wildlife Warden for the transfer and transport of captive elephants for religious or other purposes.

## Regulation of transfer of animal

Exempts the application Section 43 in case of the transfer or transport of any live elephant. The transfer or transport of a captive elephant for a religious or any other purpose by a person having a valid certificate of ownership shall be subject to such terms and conditions as may be prescribed by the Central Government.

## Control of sanctuaries:

The Chief Wild Life Warden shall be the authority who shall control, manage and protect all sanctuaries in accordance with such management plans for the sanctuary approved by him as per the guidelines issued by the Central Government and in case the sanctuary also falls under the Scheduled Areas or areas where the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is applicable, in accordance with the management plan for such sanctuary prepared after due consultation with the Gram Sabha.

Provided that no construction of tourist lodges, including Government lodges, for commercial purposes], hotels, zoos and safari parks shall be undertaken inside a sanctuary except with the prior approval of the National Board.

## Other Provisions:

Tiger and other Endangered Species Crime Control Bureau renamed as The Wildlife Crime Control Bureau.

State Boards for Wildlife (SBWLs) may delegate functions to a standing committee, as is currently the case with the National Board for Wildlife (NBWL).

## Important Schedule I Species:

**ANTELOPES:** Blackbuck Antelope, Chinkara/Indian Gazelle, Four-horned Antelope, Tibetan Antelope, Tibetan Gazelle

**BADGERS:** Greater Hog Badger, Northern Hog Badger, Ratel / Honey Badger

**BATS:** Andaman Horseshoe Bat, Black-eared Flying Fox, Leafletted Leaf-nosed Bat/Kolar Leaf-nosed Bat, Nicobar Flying Fox, Salim Ali's Fruit Bat, Wroughton's Free tailed Bat,

**BEARS:** Asiatic Black Bear, Brown Bear, Sun Bear, Sloth Bear

**BINTURONG:** Binturong

**CANIDS:** Asiatic Wild Dog/Dhole, Grey Wolf, Jackal

**CATS:** Asiatic Golden Cat, Asiatic Lion, Caracal, Cheetah, Clouded Leopard, Desert Cat, Eurasian Lynx, Fishing Cat, Jungle Cat, Leopard, Leopard Cat, Marbled Cat, Pallas's Cat, Rusty Spotted Cat, Snow Leopard, Tiger,

**DUGONG:** Dugong/Sea Cow

**ELEPHANT:** Asiatic Elephant

**FOXES:** Bengal Fox, Red Fox, Tibetan Sand Fox

**HARES:** Hispid Hare,