Concerns with Wildlife Protection (Amendment) Act, 2022

Why in news?

Excessive number of species have been included in the new schedules of the Wildlife Protection (Amendment) Act, 2022, with no consultation or process.

What is Wildlife Protection (Amendment) Act, 2022?

The Act amends the Wild Life (Protection) Act, 1972 which regulates the protection of wild animals, birds and plants.

- **Align with CITES-** It seeks to increase the species protected under the law, and implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
- The Convention requires countries to regulate the trade of all listed specimens through permits.
- **Rationalising schedules**- It seeks to reduce the number of schedules from *VI to IV* whereby *Schedule V for vermin* or animals that destroy food crops will be done away with.
- **Obligations under CITES-** The Act provides for the Central government to designate a
    - **Management Authority**- The authority grants export or import permits for trade of specimens,
    - **Scientific Authority**- The authority gives advice on aspects related to impact on the survival of the specimens being traded
- **Invasive alien species**- The Act empowers the Central government to regulate or prohibit the import, trade, possession or proliferation of invasive alien species.

Invasive alien species refers to plant or animal species which are not native to India and whose introduction may adversely impact wild life or its habitat.

- **Control of sanctuaries-** The Act entrusts the *Chief Wild Life Warden* to control, manage and maintain all sanctuaries in a state. They are appointed by respective *State government.*
- **Surrender of captive animals**- It provides for any person to voluntarily surrender any captive animals or animal products to the *Chief Wild Life Warden.*
    - *No compensation* will be paid to the person for surrendering such items.
    - The surrendered items become *property of the State* government.
- **Special areas**- For sanctuaries falling under special areas, the management plan must

be prepared after due consultation with the concerned *Gram Sabha.*

Special areas include a Scheduled Area or areas where the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is applicable.

Scheduled Areas- Economically backward areas with predominant tribal population, notified under the Fifth Schedule to the Constitution.

- **Conservation reserves**- The State governments may declare areas adjacent to national parks and sanctuaries as a conservation reserve, for protecting flora and fauna, and their habitat.
- It empowers the Central government to notify a conservation reserve.

What are the issues with the WPA Amendment?

Issues for conservation

- **Inordinate categorisation**-
  - **Schedule 1**- It confers the highest protection, contains about 600 species of vertebrates and hundreds of invertebrates
  - **Schedule 2**- It contains about 2,000 species with 1,134 species of birds alone.
- **Vagueness-** The new Act aligns itself with CITES and included the CITES appendices but the act is unclear about the connection endangerment and conservation.
- **Lack of priority-** The same level of protection is offered to tigers and jackals, great Indian bustard and common barn owls etc., which makes it unclear where resources should be allocated on the basis of this list.
- **Listing of species-** Spotted deer which is common throughout India are listed in Schedule 1.
- However, these are invasive in the Andaman Islands. But the spotted deer *cannot be legally culled or removed* because of the WLPA.

Impact on people

- **Co-existence factor**- The Act serves to enforce coexistence factor. However, various Schedule 1 species pose enormous physical, mental and economic harm to people.
  - Crocodiles in the Andamans, leopards in certain pockets, and elephants everywhere kill people, destroy their livelihoods, and leave lasting psychological impacts.
- **Prohibit limited culling-** The new Act elevates wild pigs and Nilgai to Schedule 1, so that the States cannot cull the problematic animals thereby affecting the cultivators.
- **Restrictions on use-** The Act has restrictive view on hunting and the use of animals as those species had declined in numbers.
- But it didn't take into account the consideration of science or society as it will impact the livelihoods of local communities.

Impact on research

- **Limit the research**- The Act makes it difficult to carry out ecological and genetic research on a large number of species by restricting or making it difficult to collect specimens.
- **Time consuming** - Due to listing of large number of species, getting permits for research will take time thereby affecting the environmental NGOs and scientific research of citizens.
- The casual observance of Schedule 1 species while birding cannot be stopped but uploading data on international portal such as e-bird will be difficult.

In 42nd Amendment Act, the subject of "Forests and Protection of Wild Animals and Birds" was transferred from State to Concurrent List.

What lies ahead?

- The management actions for species and habitats need to be tailored to ecology, species biology, and context.
- This calls for research and regular monitoring by independent agencies, which is hampered by the scheduling of species.
- Both citizens and ecologists have a right to observe nature and collect data if they so desire, as long as it does not cause undue harm to populations, and follows the basic principles of the ethical treatment of animals.

References

1. The Hindu- Tigers and jackal gets same protection
2. PRS- Key provisions of Wildlife Amendment Bill 2022

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