

Bill Summary

The Wild Life (Protection) Amendment Bill, 2021

- The Wild Life (Protection) Amendment Bill, 2021 was introduced in Lok Sabha by the Minister of Environment, Forest and Climate Change on December 17, 2021. The Bill amends the Wild Life (Protection) Act, 1972. The Act regulates the protection of wild animals, birds and plants. The Bill 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). Key features of the Bill include:
- CITES:** CITES is an international agreement between governments to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species. Under CITES, plant and animal specimens are classified into three categories (Appendices) based on the threat to their extinction. The Convention requires countries to regulate the trade of all listed specimens through permits. It also seeks to regulate the possession of live animal specimens. The Bill seeks to implement these provisions of CITES.
- Rationalising schedules:** Currently, the Act has six schedules for specially protected plants (one), specially protected animals (four), and vermin species (one). Vermin refers to small animals that carry disease and destroy food. The Bill reduces the total number of schedules to four by: (i) reducing the number of schedules for specially protected animals to two (one for greater protection level), (ii) removes the schedule for vermin species, and (iii) inserts a new schedule for specimens listed in the Appendices under CITES (scheduled specimens).
- Obligations under CITES:** The Bill provides for the central government to designate a: (i) Management Authority, which grants export or import permits for trade of specimens, and (iii) Scientific Authority, which gives advice on aspects related to impact on the survival of the specimens being traded. Every person engaging in trade of a scheduled specimen must report the details of the transaction to the Management Authority. As per CITES, the Management Authority may use an identification mark for a specimen. The Bill prohibits any person from modifying or removing the identification mark of the specimen. Additionally, every person possessing live specimens of scheduled animals must obtain a registration certificate from the Management Authority.
- Invasive alien species:** The Bills 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. The central government may authorise an officer to seize and dispose the invasive species.
- Control of sanctuaries:** The Act entrusts the Chief Wild Life Warden to control, manage and maintain all sanctuaries in a state. The Chief Wild Life Warden is appointed by the state government. The Bill specifies that actions of the Chief Warden must be in accordance with the management plans for the sanctuary. These plans will be prepared as per guidelines of the central government, and as approved by the Chief Warden. 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 are economically backward areas with a predominantly tribal population, notified under the Fifth Schedule to the Constitution.
- Conservation reserves:** Under the Act, state governments may declare areas adjacent to national parks and sanctuaries as a conservation reserve, for protecting flora and fauna, and their habitat. The Bill empowers the central government to also notify a conservation reserve.
- Surrender of captive animals:** The Bill 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.
- Penalties:** The Act prescribes imprisonment terms and fines for violating the provisions of the Act. The Bill increases these fines.

Type of Violation	1972 Act	2021 Bill
General violation	Up to Rs 25,000	Up to Rs 1,00,000
Specially protected animals	At least Rs 10,000	At least Rs 25,000

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