



CURRENT AFFAIRS



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Wildlife Protection Amendment Bill, 2022

Relevance for Prelims: WPA, 1972, Animal species as Vermin

Relevance for Mains: Significance and utility of Wildlife Protection Act, 1971

Context: The Wildlife Protection Amendment Bill, 2022 seeks to strengthen the protection of endangered species and enhance punishment for illegal wildlife trade was passed in Rajya Sabha.

NEED OF AMENDMENT IN WILDLIFE PROTECTION AMENDMENT BILL

The environment minister said the amendments were brought to fulfill the obligations as India is a signatory to Convention on International Trade in Endangered Species. The Bill seeks to conserve and protect wildlife through better management of protected areas and rationalize schedules.

THE ELEPHANT IN THE ROOM

Wildlife Protection (Amendment) Bill has made exemptions to allow the transfer of captive elephants and powers to declare an animal as vermin by the Centre.

REGULATIONS REGARDING ELEPHANTS TRANSLOCATION

- The Forest Act enacted in 1927 listed elephants as Cattle, whereas WLPA, 1972 considers elephants, donkeys, mules, camels, and horses as “vehicles”.
- Though the elephant is being given the highest legal protection in 1977, the elephant is the only animal in the Wildlife Protection Act Schedule-1 which could be legally owned by means of inheritance or gift.
- One among the several amendments in WLPA, 1972 prohibits trade in captive wildlife and any transfer across state boundaries without the permission of respective chief

wildlife warden which made elephant trade underground as elephant traders fixed fake commercial deeds to present elephants as gifts for inter-state transfer.

- The WLPA amendment Bill 2021 proposed an exception to Section 43: “This section shall not apply to the transfer or transport of any live elephant by a person having a certificate of ownership, where such person has obtained prior permission from the State Government on fulfillment of such conditions as may be prescribed by the Central Government.”

CONFLICT OF VERMIN

The damage to the national economy due to crop depredation by wild animals has never been computed. Since 1972, the WLPA has identified a few species — fruit bats, common crows, and rats — as vermin. Killing animals outside this list was allowed under two circumstances: *Under Section 62 of WLPA, given sufficient reasons, any species other than those accorded the highest legal protection (such as tigers and elephants but not wild boars or nilgais) can be declared vermin at a certain place for a certain time.

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- Under Section 11 of WLPA, the chief wildlife warden of a state can allow the killing of an animal, irrespective of its status in the Schedules, if it becomes “dangerous to human life”.

The state governments took the decisions under Section 62 until 1991 when an amendment handed the powers to the Centre. The purpose was apparently to restrict the possibility of eliminating many animals at a species level as vermin. Under Section 11, the states could issue culling permits only locally and for a few animals.

In recent years, however, the Centre has started using its powers under Section 62 to issue sweeping orders declaring species as vermin at even state levels, often without any credible scientific assessment.

For example, nilgais were declared as vermin across 20 districts in Bihar for a year in 2015. The Centre cited “large-scale destruction of agriculture” as the ground for declaring monkeys (Rhesus macaque) vermin in Shimla municipality in 2019.

The issue has since entered the realm of center-state politics. Since last year, Kerala’s requests for declaring wild boars as vermin have been turned down repeatedly by the Environment ministry.

Wildlife Protection Act has **six schedules** that give varying degrees of protection. Schedule I and part II of Schedule II provide absolute protection – offenses under these are prescribed the highest penalties.

Species listed in Schedule III and Schedule IV are also protected, but the penalties are much lower.

Animals under Schedule V, e.g., common crows, fruit bats, rats, and mice, are legally considered vermin and may be hunted freely.

The specified endemic plants in Schedule VI are prohibited from cultivation and planting. The hunting Enforcement authorities has the power to compound offenses under this Schedule. (i.e. they impose fines on the offenders).

Up to April 2010, there have been 16 convictions under this act relating to the death of tigers.

Reference:

- [The Indian Express](#)
- [Wikipedia](#)

Shibaji biswas

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