A Study Wildlife Management and Protection Act

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Abstract:

Wildlife management is a challenge for all nearly European large protected areas and their management concepts. Wildlife and wildlife management is connected with major conflicts between different stakeholders in many cases such as nature conservationists, farmers, fishermen, foresters, hunters, tourists and others. Wildlife itself underlies certain utilization interests within (existing or planned) protected area and/or from the mobility of large wild animals, wandering out of protection zones into the adjacent cultivated landscapes. Wildlife is managed by applying the protection or conservation act that is a collective effort by people and Governments with conscious to protect earth's biological diversity. This conservation activities is related to protection of plants and animal's species and their habitats. These conservation efforts are made by the Government by enacting laws with a goal to preserve the nature and endangered species. In this paper, discuss about the wildlife management and protection act that is under legislation, constitutional mandates to citizens and judicial in protected areas in India.

Keywords: *Wildlife Management, Wildlife Conservation, Biological Diversity, Protected Area*

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Introduction

In Central Europe, a lot of large protected areas have been established in during the last decades due to which an increasing appreciation of nature conservation in a general public and politics since 1970s. By expansion of protected area, conservationists are celebrating this expansion but in many cases, they do not agree because they do not know that how to be managed this area in best way. Political acceptance also does not exclude local conflicts that exist between nature protection and other stakeholders, especially other land users such as agriculture or forestry. Wildlife is generally concretely wild animals that often the catalyst of those conflicts, either due to damages in agriculture or forestry, for fear of large predators or because of the expectance of further restrictions to traditional land use such as agriculture, forestry, fisheries or hunting. The long-term success of a protected area critically depends on how the interaction between man and wildlife will be managed.

In maintaining the ecological balance, wildlife conservation is very important since wildlife and wilderness play an important role. The term wildlife has come from all kinds of undomesticated life from microorganisms to vegetation including fungi as well. The wildlife protection act is enactment by Parliament of India in 1972 that defines under Section 2 which animal includes amphibians, birds, mammals, and reptiles, and their young ones, and also includes, in the cases of birds and reptiles, their eggs. According to section 2, capturing, killing, poisoning, snaring, or trapping any Wild animal and, every attempt to do so amounts to hunting, injuring, destroying or taking any body part of any such animal, or in the case of wild birds or reptiles, disturbing or damaging the eggs or nests of such birds or reptiles.

Wildlife management-wildlife regulation-hunting

The 'wildlife management' term is frequently mixed with 'hunting' or 'regulation' in which wildlife management includes all activities to influence wildlife population with respect of certain goals or aims. 'Hunting' term is define as traditional, extensive and at least in most parts of Europe which sustainable form of land use, so any sustainable hunting activities need wildlife management measures. Hunting may itself included the set of wildlife management tools. In that case, biological and ecological effects of hunting, i.e. especially either the impact on abundance of a species or the benefits from such as habitat improvement will be used by and integrated into a management concept. 'Regulation' term is describe as by influencing the number of individuals of a certain species in certain area, either to make it increase or decrease and mostly by increasing or decreasing humanity.

Regulation frequently but not necessary that are occurs as a secondary effect of hunting activities. By special extermination methods, Contraceptive medicals, capturing and consigning animals, or killing animal that are examples for regulation methods beyond hunting.

Large protected areas: management

Large protected areas may have a wide spectrum of management that is more or less derived from or connected to six categories established by International Union for Conservation of Nature (IUCN). Categories I and II are mainly focused on the preservation of biodiversity by minimizing utilization of natural resources otherwise other four categories are to be managed for different management objectives that is connected with sustainable utilization of natural resources. Need different concepts of wildlife management of natural resources for different categories of protected areas within and outside the protected areas.

According to Herzog, several categories of goals, as there are for example:

- Conservation of landscape and scenery that may be in connection with several animal species of human interest

- Conservation of certain plant and/or animal associations

- Conservation of biodiversity (including genetic variation)

- Conservation of a set of ecological, genetic, behavioral, evolutionary and physical processes and the coevolved compatible populations which participate in these processes.

Wildlife management concepts

Wildlife management concepts are to be adapted primarily to the objectives of protected areas. This requires to abandon wildlife management completely within the protected area or at least within a defined "natural regulation" zone because protected areas in Central Europe that are small and animals are regularly wandering out of these areas, there will be strong need to influence those animal populations that may lead to conflicts in periphery. Large predators is a first step to reintroduction program is worth that to be discussed in many cases. By "natural regulation" concept, not to reintroduction process is covered and this

reintroduction efforts are to be placed outside the "core areas" of natural regulation. In protected areas, large ungulates such as wild boar (Sus scrofa), red deer (Cervus elaphus), fallow deer (Cervus dama), mouflon (Ovis ammon) or even moose (Alces alces) or European Bison (Bison bonasus) are not be "damages". "Damages" by browsing or barking are a problem of cultivated landscape and are normally excluded by protected areas.

Constitutional safeguards for Wildlife

Fundamental Duties

Under Article 51A (g) of the Constitution places a duty on every citizen to protect and improve natural environment that included forests, lakes, rivers and wild life and to have concern for living creatures. Under Article 256 of constitution of Seventh Schedule that include the forests and protection of wild animals.

Directive Principles of State Policy

Under Article 48 of Constitution of India provides the State shall endeavor to Organization of Agriculture and Animal Husbandry and under Article 48A provides the State shall endeavor to protect and improve environment and to safeguard the forests and wildlife of the country. Therefore, State has to be take steps for preserving and improving breeds and prohibiting the slaughter of cows, claves and other milch and draught cattle.

According to Article 246 of Constitution of India, gives law making powers upon some specific subjects to parliament and state legislatures of our country. Parliament has authority to make laws in respect to matter in List-I and List-II and making the laws by both Parliament and legislature that have the authority. Laws are making for prevention of cruelty to animals, protection of wild animals and birds, prevention of the extension from one State to another of infectious or contagious diseases or pests affecting men, animals or plants.

Protected Area Network

Protected area network can be categorized in following five types according to intensity and differential focus of management:

- National park: Chapter IV Section 35 (1) of the WLPA

- Wildlife sanctuary: Chapter IV Section 18 (1) of the WLPA

- Conservation reserve: Section 36A (I) of the WLPA

- Community reserve: Section 36C of the WLPA

- Tiger reserve: Section 38V (4) of the WLPA

Legislative Framework for Wildlife Conservation in India

The Government of India has introduced various types of legislation in response to the growing destruction of wildlife and forests. That is as follows:

Wildlife Protection Act 1972 and Amendments

Wildlife Protection Act (WLPA) 1972, is an important statute that provides a powerful legal framework for Prohibition of hunting; Protection and management of wildlife habitats; Establishment of protected areas; Regulation and control of trade in parts and products derived from wildlife; Management of Zoos. This act is amended in subsequent years 1982, 1986, 1991, 2002, 2006, 2013. In both national parks and wildlife sanctuaries, amended WLPA does not allow for any commercial exploitation of forest produce and local communities can collect forest produce only for their bona fide needs. The 2006 amendment introduce a new chapter (IV B) for establishment of National Tiger Conservation Authority and notification of Tiger Reserves. Before this amendment, Tiger Reserves were not defined under law but were merely administrative designations to enable funding under Project Tiger.

Indian Forest Act, 1927

The objective of India Forest Act (1927) was to secure exclusive state control over forests to meet the demand for timber. This act is defined state ownership, regulated its use, and appropriated the power to substitute or extinguish customary rights. This act facilities three categories of forests which is Reserved forests, Village forests and Protected forests. Reserved forests are the most protected within these categories. Felling trees, grazing cattle, removing forest products, quarrying, fishing, and hunting are punishable with a fine or imprisonment.

The Forest Conservation Act, 1980

Due to forestlands, check rapid deforestation that being released by state governments for agriculture, industry and other development and federal government enacted the Forest Conservation Act in 1980 with an amendment in 1988. The Act made the prior approval of the federal government necessary for de-reservation of reserved forests, logging and for use of forestland for non- forest purposes. By state government, this powerful legislation has, to a large extent, curtailed the indiscriminate logging and release of forestland for non-forestry purposes. The Supreme

Court of India has currently imposed a complete ban on the release of forestland for non-forestry activities without the prior approval of the federal government.

The Biological Diversity Act (2002)

On biological diversity, India is a party to United Nations Convention. According to section 29, the provisions of the Biological Diversity Act are in addition to and not in derogation of the provisions in any other law relating to forests or wildlife.

National Wildlife Action Plan (2002-2016)

This action plan replace the earlier plan that are adopted in 1983 and this new action plan need to change in priorities that given the increased commercial use of natural resources, continued growth of human and livestock populations and changes in consumption patterns. This action plan mainly concentrate on actual policy on protection of wildlife and strengthening and enhancing the protected area network that on the conservation of endangered wildlife and their habitats, on controlling trade in wildlife products and on research, education, and training. This plan need to reduce human-wildlife conflict and emphasizes the establishment of effective compensation mechanisms.

National Forest Policy (1998)

The National Forest Policy (NFP), 1988 is primarily concerned with the sustainable use and conservation of forests and further strengthens the Forest Conservation Act (1980). It marked a significant departure from earlier forest policies that gave superiority to meeting government interests and industrial requirements for forest products at the expense of local subsistence requirements. Through the conservation of biological diversity, soil and water management, increase of tree cover, efficient use of forest produce, substitution of wood that maintenance of ecological balance and ensuring people's involvement in achieving these objectives.

Penalties under the Wildlife Protection Act

Under section 51, penalties are prescribed in which enforcement can be performed by agencies such as Forest Department, Police, Wildlife Crime Control Bureau (WCCB), Customs and the Central Bureau of Investigation (CBI). By Forest Department, charge sheets can be filed directly.

Amendments

According to law and code, amended may be continuing from several times 1982 to 2017. The 2002 Amendment Act that came into force in January 2003 which made the punishment and penalty for wildlife offences under this act. The offences which are related to wild animals or their parts and products included in schedule-I or part II of Schedule- II and those relating to hunting or altering the boundaries of a sanctuary or national park the punishment and penalty have been improved, the minimum imprisonment prescribed is 3 years which may extend to 7 years, with a minimum fine of Rs.10, 000. Imprisonment is not less 3 years but may extend to 7 years with a minimum fine of Rs. 25, 000 in case of subsequent offence of this nature. In case of improve the intelligence gathering in wildlife crime, the existing provision for rewarding the informers has been increased from 20% of the fine and composition money respectively to 50%.

Conclusion

Wildlife management and protection acts play an important role in improving the condition of nature and forest. Imbalanced ecosystem have harmful effects on wildlife and humans. According to the World Health Organization's (WHO) report released in 2005, claimed that the "state of ecosystems worldwide are contributing to increased illness and mortality rates of populations throughout South America, Africa, and Asia". Ecosystems are imbalanced by the factors like deforestation, natural disasters and animal migration. According to above explain Act, creating the awareness among the public and sensitizing the people about the importance of wildlife protection for human survival.

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