



# **FACULTY OF JURIDICAL SCIENCES**

**COURSE: LL.B.**

**Semester: IV**

**SUBJECT: Environmental Laws**

**SUBJECT CODE: LLB404**

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# Lecture-31



## **LECTURE 31: Introduction to Wildlife (Protection) Act, 1972**

### **Introduction**

India is a country with rich wildlife diversity. Wildlife in India is threatened, most significantly, by human actions or environmental degradation induced by human actions. Many species are on the verge of extinction. Given the close interrelationship between all living beings (and non-living beings), the extinction of one species will affect the whole ecological balance and consequently the survival of other species also.

### **Historical background**

During Ashok an regime and philosophers like Bhuddha, Basavanna preached and practiced compassion towards animals and many religions propounded for the same. Britishers enacted several legislation for protection of wild species they are-Wild Birds Protection Act, 1887, The Wild Birds and Animals (Protection) Act, 1912. After Independence, since the subject of wildlife was in the State List of the Constitution, it was not possible for Parliament to enact a law for the protection and preservation of wildlife except by invoking the provisions of Article 252 of the Constitution.

### **Preamble of the Wildlife (Protection) Act**

An Act to provide for the protection of wild animals, birds and plants and for matters connected therewith or ancillary or incidental thereto with a view to ensuring the ecological and environmental security of the country.

A number of regulatory and conservation measures have been provided under the Act. Key measures in this regard are:

- Prohibition of hunting of all wild animals
- Protection of specified plants
- Protection and management of wildlife habitats by declaring Sanctuaries and National Parks
- Regulation and control of trade in wildlife and parts and products derived from wildlife

## **Authorities under the Act**

Director of Wild Life Preservation- appointed by Central Government  
Chief Wild Life Warden and Wild Life Wardens-appointed by State Government  
National Board for Wild Life and State Board for Wild Life

## **Functions of the National Board (Sec. 5C)**

- (1) It shall be the duty of the National Board to promote the conservation and development of wild life and forests by such measures as it thinks fit.
- (2) Without prejudice to the generality of the foregoing provision, the measures referred to therein may provide for—
  - (a) framing policies and advising the Central Government and the State Governments on the ways and means of promoting wild life conservation and effectively controlling poaching and illegal trade of wild life and its products;
  - (b) making recommendations on the setting up of and management of national parks, sanctuaries and other protected areas and on matters relating to restriction of activities in those areas;
  - (c) carrying out or causing to be carried but impact assessment of various projects and activities on wild life or its habitat;
  - (d) reviewing from time to time, the progress in the field of wild life conservation in the country and suggesting measures for improvement thereto; and
  - (e) preparing and publishing a status report at least once in two years on wild life in the country