

F. No. 1-52/2014 WL-I
Government of India
Ministry of Environment, Forests and Climate Change
(Wildlife Division)

Vayu Block, 6th Floor
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi.110003
Dated: 24th December, 2014.

OFFICE MEMORANDUM

Subject: Advisory in the context of human-wildlife conflict

Prevalence of human wild life interaction, at times conflict, causing damage to human life, crops and other properties has been increasing in recent times. The issue of human wildlife conflict is being raised at various fora and many Hon'ble Members of Parliament have raised these concerns in the Parliament. The Ministry has also received representations to take steps towards mitigation of human wildlife conflict.

2. In this context, specific advisories and guidelines have been issued from time to time from the Ministry for dealing with the problematic animals and location specificity of conflict management solutions has been discussed many times. Such guidelines have been issued for Tiger (standard operating procedures), leopard, blue bull. Further, the provision for management of human wildlife conflict is part of the activities qualifying for central assistance under the Centrally Sponsored Scheme Integrated Development of Wildlife Habitats.

3. In this regard, there have been suggestions from many quarters that there is at times need of hunting of the wild animals causing harm to life and property especially agriculture crops, and that the state forest departments are not equipped with the powers to deal with such situation. It has been suggested that species like blue bull and wild boar should be put in schedule V of WLPA (vermin), so that killing of such animals is out of the purview of regulations. Though the technical analysis by Wild Life Institute of India for blue bull management and the recent recommendations of the TSR Subramaniam Committee indicate that no purpose will be solved by this step, this aspect is also being examined objectively.

4. The Subramaniam Committee has recommended that MoEF&CC may issue a circular apprising the states of the legal position, suggesting that they may take appropriate action based on the same. In these circumstances, it has become necessary to clarify the legal provisions for objective management of human wild life conflict.

i) The Section 11(1)(a) of the Wildlife (Protection) Act, 1972 authorises the Chief wildlife Wardens to permit hunting of any wild animal specified in Schedule I if it has become dangerous to human life or is so disabled or diseased as to be beyond recovery. However, killing of such animals can be resorted to only when such animal cannot be captured, tranquillised or translocated.

ii) For the wild animals other than Scheduled I, that is those specified in Schedule II, III or IV or a group of such animals in a specified area, Section 11(1) (b) also empowers the Chief Wildlife Warden or the authorised officers, to permit hunting of an animal specified in Schedule II, III or IV or a group of such animals in a specified area if it has become dangerous to human life or to property (including standing crops on any land) or is disabled or diseased as to be beyond recovery.

iii) Section 62 of Wild Life (Protection) Act empowers the central government to declare by notification wild animals other than Schedule I and Part II of Schedule II to be vermine for specified area and period. Information on the area with prevalence of problem, if provided by the states, can be utilized by this ministry for utilizing this provision, if and when required. No such proposal is seen received in this ministry.

5. Thus, it is clear that the Wildlife (Protection) Act, 1972 has adequate provisions to take corrective actions in case of human wildlife conflict and the Chief Wild Life Warden or the authorised officers are expected to exercise the legal powers diligently to address the problem faced by the public to the extent possible.

Regarding the question as to how "group of animals" in the context of animals specified in Schedules II, III and IV should be identified, the Act does not specify the criteria for identification. In this context, it needs to be seen that as per section 64, state government has all the powers to make rules for carrying out the provisions of the Act, other than those of central government covered under section 63. The states will accordingly have all the powers to define criteria for identification of problematic animals or groups thereof and propose methods of dealing with those including that of disposal in case such animals/ groups are to be eliminated. States have the mandate to frame rules and implement the relevant provisions of the Act objectively.

6. In these circumstances, Chief Wild Life Wardens may like to exercise the provisions of section 11 (1) (b) based on the objective assessment of the problem of damage by wild animals to the life and property. States are also advised to propose to this ministry, after objective assessment of the situation, details of the areas in which it is essential to issue the notification under section 62, by this ministry for declaring any wild animals as vermine for specified period.

The proposal must be based on ground level assessment of the gravity of the situation and must include the following facts:

- Area with clear boundary description, in which the notification should be applicable. This should be in line with the administrative boundaries such as district, taluka, village, forest division etc.
- Wild animal species to be declared as vermine and reason thereof.

- Period for which the notification is contemplated.
- The basis of recommendation – any study, consultation, expert opinion, survey etc.

7. In this context, it is further informed that for the activities for mitigation and management of human wildlife conflict outside the protected areas the Ministry in the last financial year had requested for proposals to seek Central assistance for dealing with human wildlife conflict as part of Annual Plan of Operations under CSS Integrated Development of Wildlife Habitats under the component Protection of Wildlife outside Protected Areas. However, hardly any proposal was received in this regard.

It is requested that appropriate proposals for mitigation of human wildlife conflict may be sent as part of Annual Plan of Operations for the year 2014 – 15 under the component Protection of Wildlife outside Protected Areas, but separate component.

8. I am, accordingly, directed to request you to kindly take appropriate actions.

Shr
24/12/14
(Shiv Pal Singh)
Joint Director (WL)
Tele:- 011-2469 5379
Email: jd-wl@nic.in

**The Chief Wildlife Warden,
All State Govts./UT Administrations.**