

PROTECTION OF TIGER UNDER THE WILDLIFE PROTECTION ACT

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ABSTRACT

The rapid degrading strength of tiger population in India in the present time has made the authorities to take immediate measures to protect them through various programs. In 2005, the tiger task force appointed by government of India, focused on the requirement for setting up of national tiger authority for taking the management and process involved for protecting the tigers in the country. The superior authorities therefore formulated various provisions for increasing the area of tiger reserves and population of tigers through rehabilitation of villages, increasing and maintaining the funds for conservation, implementing programs for streamlining the procedures and minimizing the man-animal contradictions by various measures. It focused on various approaches like participation of local people in the conservation programs to protect the Indian tigers. Consequently, in 2006, government of India made an amendment in the wildlife protection act, 1972 and National Tiger Conservation Authority (NTCA). The deep study of the function of NTCA states that NTCA has been successful in the spheres of fund allocation and its utility for conservation and protection of tigers, ensuring sanction of conservation programs and their implementation, minimizing the loss of animals and boosting the population of tigers and in ensuring conformity and uniformity in maintenance of tiger reserves. However, the study says that various efforts are required for participation of the local community people in the the protection and conservation programs and process through sharing of profits collected from tourism and conservation programs. All these standards and measures have also led in a¹ conservation of tiger population in the country which is clear from the tiger census done in 2010.

KEY WORDS: Tiger protection conservation, National Tiger Protection Authority, Wildlife (Protection) Act, 1972, wildlife (protection) Amendment Act, 2006, participatory approach.

INTRODUCTION

The conservation of the living natural resources plants animal and micro-organisms or the non-living component of Environment and they has been depend and the essential for the evolution. The India has been enormous collection of the natural resources. It have rich animal and as well as the plant inheritance. That can be sustaining millions of the people. However we can be

¹ International institute of social studies.

protecting the natural flora and fauna. This Act can be enabled the Government to made the rules regarding the prohibition for possessing or the selling of any kind of the birds and the animals. The earliest codified law can be made in the 3rd B.C. When Asoka the King of the Magadha made the law in the matter of the protection of the Wild life and for the environment, Article 48 A of the Constitution of the India provides the state to protect and to improve the environment and safeguard the forest and wildlife of the country. According the Article 51A (g) of Constitution of India says that it was the fundamental duty of the citizen to protect and improve the natural environment as well as the wildlife. The Wildlife protection has been practiced in India from the British period. The tiger scheme is made by the government for the protection of the tiger; rinisirou, leopard's elephant and snake are the important wildlife which has been highly demanded for the international market. The bones of the tiger are used in medicine purposes. The presence of the tiger indicates the healthy environment and it also maintain the balance between the ecosystems. The government has focused on the tiger protection for the effective protection of the entire wildlife. The tiger was distributed among the country and its protection was necessary for the maintenance of the entire ecosystem. The government had been focus on tiger was the emissive steps since tiger was not just a charming animal but also a unique spices and which was present on the top of the food chain pyramids. It was maintaining the balance between the herbivores or for the vegetation and also has been for the existence of the tiger. The Wild life has been amended in the year 1982. For maintain the provisions for regarding the capture and also the relocation of the animals. This Act has been again amended in the year 1986.

HISTORICAL ASPECT

At the IUCN General Assembly meeting in Delhi, in 1969, various serious concerns were raised concerning the threat to many species of wildlife and the reduction of wild animals in India. In 1970, a ban on tiger hunting was imposed by authorities and in 1972 the wildlife protection Act was implemented. The program was launched in 1973, and various tiger reserves were established in the country on a CORE BUFFER STRATEGY. The core areas were isolated from all types of manmade activities and the buffer areas were subjected to `CONSERVATION ORIENTED LAND USE; Management plans were implemented for all tiger reserves, based on the following principles:

1. destruction of various types of human exploitation and biotic disturbance from the core area and rationalization of activities in the buffer zone.
2. Sanctioning the habitat management to maintain the losses cause to the environment by human and by economic development which is mainly responsible for causing pollution and loss of habitat and other disturbances, so as to facilitate restoration of the environment to its natural state.
3. Supervising the wildlife changes from time to time and making research about flora and fauna. Initially, nine tiger reserves were set up at various places during the year 1973-74, by drawing the resources available with the authorities. These nine reserves occupy an area of about

13,017sq.km-viz MANAS (Assam), SUNDERBANS (West Bengal), BANDIPUR (Karnataka), RANHAMBHORE (Rajasthan), KANHA (Madhya Pradesh), PALAMAU (Bihar), SIMILIPAL (Orissa), CORBETT (U.P.), MELGHAT (MAHARSHTRA),

International tiger day is celebrated on 29 July every year for the promotion and conservation of natural living of tigers and to make people aware about the protection of tiger. In 1973, project tiger was started in INDIA which was an exclusive program to conserve tigers on the earth. International tiger day is also known as GLOBAL TIGER DAY. The project created and progressed by INDRA GANDHI AND HER SON OF RAJIV GANDHI till 1990. Later on, various amendments took place in the project. From 20th century, over 95% of the world's tiger population has become extinct. Although, according to world wildlife fund approximately 3,900 tigers are present in the world. It has been stated that around the Asia, the astonishing problem creates a serious threat and problem to animals and tigers. A focus which is so determined was established by the government of the 13 range countries to maximize the population of tigers by 2022 .it cannot be denied that tigers are the largest breed of the cat family and also one of the most significant animal on the planet and also the national animal of the nation . About hundred years ago , there were approximately 100,000 tigers present on the earth.

HISTORY OF INTERNATIONAL TIGER DAY

International Tiger Day was set up in 2010 at Saint Petersburg tiger summit in RUSSIA to make people aware about the loss of wild tiger population, leaving them in the list of degradation and to encourage the work of tiger protection. In the summit, an announcement was made by the government that tiger populated countries had assured to maximize as soon as possible the tiger population by 2020. various events are organized every year like world wildlife fund, International fund for animal welfare and the Smithsonian institute.

PROTECTION OF TIGER AMMENDNENT ACT

The wildlife protection act was amendment in 1982 to accommodate provisions for capture and relocation of animals. The act was amended again in 1986, prohibiting the trade in wild animals listed under schedule I and part II of schedule II. A further amendment was made in 1991 to address the need for checking the decline of wildlife in the country and now complete ban on hunting of all animals was imposed with enhanced punishment of person terms and penalties. In 1993, minor changes were brought in the act with reference o recognition of zoos (MoEF1993). The next amendment in 2002 with a shift of the government from its exclusionary and non participatory and community based approach kalpavriksh 2003. The national boards for wildlife (NBWL) AND State wildlife boards were reconstituted and the prime minister was the chairman of NBWL with members including minister of Forests, parliament member, senior bureaucrats. Experts from different government organizations and fifteen eminent members from the NGOs conservationists and wildlife ecologists

CASE RELETED TO TIGER CONSERVATION

TILAK BAHADUR RAI Vs SATE OF ARUNACHAL PRADESH

It was held that to decide whether in killing an animal the accused acted in self defense or not, the nature and ferocity of animal shall be relevant. Thus, in this case of killing the tiger in good faith and in defense of oneself it cannot be said that the accused was committing any offence prior to shooting the tiger that charged at him and thus the killing was held to be justified.²

WILDLIFE PROTECTION SOCIETY HYDERABAD vs. STATE OF A.P.

The petitioner took cognizance of the report pertaining to the killing of 13 months old tigress in the Nehru zoological park and killing of other wild animal and extraction of their body parts like nail, skin, eyes, tail, etc and sought directions from the court for constitution of special vigilance and enforcement cell under the administration of C.B.I. and to place a detailed report about the alleged incident.³

TARUN BHARAT SANGH, ALWAR vs. UNION OF INDIA

The petitioner organization challenged the grant of 215 mining licenses in the area declared as tiger reserve in the Alwar district of Rajasthan. The Supreme Court cancelled all the licenses as they were given in the tiger reserve area⁴

The Success of the project tiger

For the journey of the expansion of the tiger community have not been so easy. In the year 1970 the number of the tiger is one hundred and the two hundred. And also for in the present time it has been raised to the five thousand. In matter there have been thirty percent of increases in the population of the tigers since in the past of the eight years. India has been previously initiated towards the enacting for the milestones of the project tiger. Therefore the whole of the world to made the efforts regarding the increasing number of the tigers. India has been also making the efforts regarding for the improvement of the conservation of the wildlife. They have been amending the acts towards the forests and the wildlife. For any types of the unlawful selling of the animals have been banned. Therefore the human intervention in any type of the reserves and the forest are not allowed. The all over the world have been identified this successful project. And also for the appropriate environment have been establish for tigers to hunt, live and

² 1979 cr. L. J.1404

³ A.I.R. 2002 A.P.

⁴ A.I.R. 1997 Del.267

the survive. These projects have been fixed and also going on and also this project has been continue until the tigers does not have come from the endangered spices. This type of project has been stared for the improvement in the condition of the tigers. This type of the project has been instituted for the protection of the tigers many of the projects was started for the protection for the tigers have been led to the decrease in the depletion for tigers. This project was launched in the Jim Corbet National park, Uttarakhand for the leadership of the Indira Gandhi. The Project Tiger have been made for the rewarding in the development for the population of the tigers.

Obstructions in project tiger and challenges faced by state government:

All the outstanding project have bear the entire pressure regarding the making of the project tiger. For the successful piece of the work, There has been achievement or of the allegiance for the various government officers. At the ancient times, it was very complicated to give the lands that are used for the hunting. The alternative challenge was the poaching. Some of the individual have to purchase the bones of the tiger and also the skin of the tigers in the international markets. This is the important business to earn the money. And also all of the measure safeguards taken by the government but couldn't stop the illegal selling of the animal skin. The persons had been also breach the law and also send the animals skin in the international markets. This can led to the decreasing the number of the tigers. The government had made the law regarding the decreasing number of the tigers. In many of the national parks the human beings have been still interfere. The tiger project has been come into the existence to protect the tigers and also to know the importance of the tigers.

Success of project tiger in conserving the tigers.

After the success of the project tiger. The government has altered the wild life protection Act 1972. The project has guaranteed that the along with the tigers the other wild animals and wild life is protected from any harm. The project is also responsible for the development and preservation of all the national parks and measures have been taken regarding the protection of the wild life and endangered species. This project makes the people aware about the importance and necessity of wild life in the environment. The hunting and poaching of tigers have been banned to protect the tigers and the other animals are also protected from the killing. According to steps taken by the government this will assist increasing population of the tigers. In the tiger reservoir the tigers and other animals are protected. The other animals can also be conserved along with the tigers. All of the measures taken by the government regarding the project tigers also can be helped in the growth of the other species. The most of the national parks has been stared their own projects this project can be saved the animals from the human beings. The government became more aware about the protection for the other species that can be

decreasing in the numbers and also ⁵along with the National animal all the other species can also be protected and also can be saved.

Harms caused to wild life:

1. No person shall hunt any wild animal which has been specified in schedule 1.
2. No person shall hunt any wild animal which are mentioned in the schedule 2, 3, or the schedule 4. Ex cept with the conditions which are specified in the license which can be granted in the section 5.

G.R. Simon v. Union of India

Similarly the High Court of the Delhi also considered the right of the manufactures; wholesaler and the dealers in tanned, cured, and finished the animal skin. The Court held that their right is not absolute. It can be restricted and controlled the provisions of the act were held to be designed to eliminate stocking of the animal skins and it was the necessary to prevent from the smuggling of the animal articles.

State of Bihar v. Murad Ali Baig

The Supreme Court held that the elephant is included in the Schedule 1 and hence hunting of elephant is prohibited.

Reasons for conserving tigers:

The conservation of the wild life has been of the enormous importance for the mankind. According to the elimination of the wild life have been basically led for the extinction for the human race itself

However the source of the life is about 3.7 millions ago. The wild life has been protecting the ecological balance. The different modes in which the wild life is important for the mankind are:

Economic importance: The different plants, animals, and the micro organisms, is great importance for the mankind. Most of the plants are the great medicinal value. The products of the plants are used by the human beings for their own use and also used for their own purposes. And also used for their own activities of their life.

Ecological balance: The living- organisms which are present in the eco system can also be the merge with the one another through the food chains and also maintain the balance of the nature.

⁵ <https://www.insideindianjungles.com/project tiger>.

Conservation of bio diversity: The wild life has the great role to play the importance and the conservation of the bio – diversity. The Wild life must be the preserved whether useful or not as of the wild life species having no use at the present.

Recreation and sports: Wild animals are the sources of the fun recreation of the public in the circus, zoological parks and the aquaria. Wild animals also provide the good sports in their habitat to the hunters.

CONCLUSION

The enormous effort have assisted over the many years in the tiger conservation planning as implemented in the year 1973 in India. The Habitat loss is also another point for consideration ,for the conservation of tigers which is the essential and the prompt attention in the country like India, and also these are the real challenges. But most of the interference has been recommended in the year 2006. For the protection of the tiger and also can be protected the tigers due to their decreasing in their numbers due to their habitat loss and also due to the poaching. This study recommended the government to take the effective measures regarding the protection of the tigers. The National Tiger Conservation Authority has mandated and maintain the rules regarding the tiger conservation in all over the world. And also the numbers of the tigers was increased in the next year. This is also giving the knowledge about the legal framework regarding the conservation of the tigers This is also providing the livelihood to those people who can be done work in the tiger reservoir The protection of the tiger is the essential and important steps towards the society And also regulating the tourisms activities and also generating the income towards the wildlife conservation of the species The objective of this act to provide all the safety measures to the government for the protection of the tigers The NTCA also providing all the safeguards for protecting the tigers And also maintain the uniformity regarding the protection of the tigers The fund allocation can be done for the protection of the other wild life and the endangered species The NTCA has been provided the funds for the protection of the other endangered species in the uniform manner The NTCA can achieved more success regarding the protection and the conservation of the wild life This project can protect the endangered species and can be protected from the extinction .