

THE WILDLIFE (PROTECTION) ACT, 1972

(No. 53 of 1972)

(9th September, 1972)

An Act to provide for the protection of [Wild animals, birds and plants]¹ and for matters connected therewith or ancillary or incidental thereto.

² [***]

CHAPTER 1

Preliminary

1. Short title, extent, and commencement, - (1) This Act may be called the Wildlife (Protection) Act, 1972.

³(2) It extends to the whole of India, except the State of Jammu and Kashmir.*]

⁴(3) It shall come into force in a State or Union Territory to which it extends, on such date as the Central Government may, by notification, appoint, and different dates may be appointed for different provision of this Act or for different States or Union Territories.

2. Definitions - In this Act, unless the context otherwise requires, -

(1) “animal” includes amphibians, birds, mammals, and reptiles, and their young, and also includes, in the cases of birds and reptiles, their eggs,

⁵(2) “animal article” means an article made from any captive animal or wild animal, other than vermin, and includes an article or object in which the whole or any part of such animal [has been used and ivory imported into India and an article made therefrom].

⁶(3) [Omitted 1991.1

(4) “Board means the Wildlife Advisory Board constituted under subsection (1) of Sec. 6;

(5) “captive animal” means any animal, specified in Schedule 1, Schedule II, Schedule III or Schedule IV, which is captured or kept or bred in captivity;

⁷(6) [Omitted 1991.1

(7) “Chief Wildlife Warden” means the person appointed as such under C1. (a) of sub-section (1) of Sec.4;

⁸[(7A) “Circus” means an establishment, whether stationary or mobile where animals are kept or used wholly or mainly for the purpose of performing tricks or manoeuvres;]

(8) “closed area” means the area which is declared under sub-section (1) of Sec.37 to be closed to hunting;

(9) “Collector” means the Chief Officer in charge of the revenue administration of a district;

(10) “commencement of this Act”, in relation to –

(a) a State, means commencement of this Act in that State.

(b) any provision of this Act, means commencement of that provision in the concerned State;

(11) “dealer” means any person who carries on the business of buying and selling any captive animal, animal article, trophy, uncurled trophy, [⁹meat or specified plant];

(12) “Director” means the person appointed as Director of Wildlife Preservation under Cl (a). of sub-section (1) of Sec. 3;

[(12A) “Forest Officer” means the Forest Officer appointed under clause (2) of Sec.2 of the Indian Forest Act, 1927 (¹⁰16 of 1927);]

(13) [Omitted 1991. ¹¹]

(14) “Government property” means property, referred to in sec.39; [or sec. 17H¹²]

(15) “habitat” includes land, water, or vegetation which is the natural home of any wild animal;

(16) “hunting”, with its grammatical variations and cognate expressions, includes,

(a) capturing, killing, poisoning, snaring, and trapping or any wild animal and every attempt to do so,

(b) driving any wild animal for any of purposes specified in sub clause

(c) injuring or destroying or taking any part of the body of any such animal, or in the case of wild birds or reptiles, damaging the eggs of such birds or reptiles, or disturbing the eggs or nests of such birds or reptiles;

7) “land” includes canals, creeks, and other water channels, reservoirs, rivers, streams and lakes, whether artificial or natural, [marshes and wetlands and also includes boulders and rocks; ¹³]

(18) “licence” means a licence granted under this Act;

¹⁴[(18A) “Live-stock” includes buffaloes, bulls, bullocks, camels, cows, donkeys, goats, horses, mules, pigs, sheep, yak and also includes their young;*]

(19) “manufacturer” means a manufacturer of animal articles;

(20) “meat” includes blood, bones, sinew, eggs, fat and flesh, whether raw or cooked, of any wild animal other than vermin;

(21) “National Park” means an area declared, whether under sec.35. or sec.38 or deemed, under sub-section (3) of sec.66. to be declared, as a National Park

(22) “notification” means a notification published in the official Gazette;

(23) “permit” means a permit granted under this Act or any rule made thereunder;

(24) “Person” includes a firm;

(25) “prescribed” means prescribed by rules made under this Act;

¹⁵[(25A) “recognised zoo” means a zoo recognised under section 38H;

(25B) “reserve forest” means the forest declared to be reserved by the State Government under sec.20. of the Indian Forest Act, 1927 (16 of 1927);*]

(26)¹⁶“sanctuary” means an area declared, whether under sec. [26(A)⁵] or sec 38, or deemed, under sub section (3) of Sec.66 to be declared, as a wildlife sanctuary;

¹⁷[(27) “specified plant “means any plant specified in Schedule VI;”]

(28) “special game” means any animal specified in Sec.II;

(29) “State Government”, in relation to a Union Territory, means the Administrator of that Union Territory appointed by the President under Art 239 of the Constitutions ;

(30) “taxidermy”, with its grammatical variations and cognate expressions, means the curing, preparation or preservation of trophies;

[(30A) “territorial waters” shall have the same meaning as in Sec.3. of Territorial waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (80 of 1976);¹⁸]

(31) “trophy” means the whole or any part of any captive animal or wild animal, other than vermin, which has been kept or preserved by any means, whether artificial or natural, and includes,

(a) rugs, skins, and specimens of such animals mounted in whole or in part through a process of taxidermy, and

(b) antler, horn, rhinoceros horn, feather, nail, tooth, musk, eggs, and nests;

(32) “uncured trophy” means the whole or any part of any captive animal, other than vermin, which has not undergone a process of taxidermy, and includes a [freshly killed wild animal ambergris, musk and other animal products];

(33) “vehicle” means any conveyance used for movement on land, water or air, and includes buffalo, bull, bullock, camel, donkey, elephant, horse, and mule;

(34) “vermin” means any wild animal specified in Sch.V;

(35) “weapon” includes ammunition, bows and arrows, explosives, firearms, hooks, knives, nets, poison, snares, traps, and any instrument or apparatus capable of anaesthetizing, decoying, destroying, injuring or killing an animal;

(36) “wild animal” means any animal found wild in nature and includes any animal specified in Schedule I, Schedule II, Schedule, IV or Schedule V, wherever found;

(37) “wildlife” includes any animal, bees butterflies, crustacean, fish and moths; and aquatic or land vegetation which forms part of any habitat;

(38) “Wildlife Warden” means the person appointed as such under C1. (b) of sub-section (1) of Sec.4;

[(39) “zoo” means an establishment, whether stationary or mobile, where captive animals are kept for exhibition to the public but does not include a circus and an establishment of a licenced dealer in captive animals. ¹⁹]

The Act has been made applicable in various States and Union Territories as under:

1. Andaman and Nicobar, w.e.f. Ist July 1973, vide G.S.R.332 (E), dated Ist July, 1973.
2. Andhra Pradesh, w.e.f. Ist July 1973, vide G.S.R.371 (E), dated Ist August, 1973.
3. Arunachal Pradesh, w.e.f. 15th May 1973.

4. Assam, w.e.f. 25th January 1977, vide G.S.R.33 (E), dated 25th January, 1977.
5. Bihar, w.e.f. Ist February 1973, vide G.S.R.40 (E), dated Ist February, 1973.
6. Dadra and Nagar Haveli, w.e.f. Ist September 1973, vide G.S.R.441(E), dated Ist September, 1973.
7. Delhi, w.e.f. Ist June 1973,
8. Gao Daman and Diu, w.e.f. 16 July 1973, vide G.S.R.629 (E), dated 16th July, 1973.
9. Gujarat, w.e.f. Ist February 1973, vide G.S.R.62 (E), dated Ist February, 1973.
10. Haryana, w.e.f. 12th March July 1973, vide G.S.R.63 (E), dated 12 March, 1973.
11. Himachal Pradesh, w.e.f. 2nd April ly 1973, vide G.S.R.190 (E), dated 2nd April, 1973.
12. Kerala, w.e.f. Ist June 1973, vide G.S.R.293 (E), dated Ist June, 1973.
13. Lakshdweep, w.e.f. Ist November 1973, vide G.S.R.481(E), dated Ist November, 1973.
14. Madhya Pradesh, w.e.f. 25 January 1973, vide G.S.R.28 (E), dated 25 January, 1973.
15. Maharashtra, w.e.f. Ist June 1973, vide G.S.R.296 (E), dated Ist June, 1973.
16. Manipur, w.e.f. 15th May 1973, vide G.S.R.269 (E), dated 15th May, 1973.
17. Meghalaya, w.e.f. Ist April 1977
18. Mizoram, w.e.f. Ist October 1974, vide G.S.R.407 (E), dated Ist October, 1974.
19. Mysore, w.e.f. Ist July 1973, vide G.S.R.355 (E), dated Ist July, 1973.
20. Nagaland, w.e.f. 18th December 1981, vide G.S.R.668 (E), dated 18thDecember
21. Orissa, w.e.f. 14th August 1974, vide G.S.R.364 (E), dated 14th August, 1974.
22. Punjab, w.e.f. Ist April 1975.
23. Rajasthan, w.e.f. Ist September 1973, vide G.S.R.410 (E), dated Ist September, 1973.
24. Sikkim, w.e.f. Ist May 1976, vide G.S.R.311 (E), dated Ist May, 1976.
25. Tamil Nadu, w.e.f. Ist January, 1974.
26. Tripura, w.e.f. 2nd October 1973, vide GS.R.465 (E), dated 2nd October, 1973.
27. Union Territory of Chandigarh, w.e.f. 2nd December 1974, vide G.S.R.674 (E), dated 2nd December, 1974.
28. Union Territory of Pondicherry, w.e.f. Ist March 1975, vide G.S.R.62 (E), dated Ist March, 1975
29. Uttar Pradesh, w.e.f. Ist February 1973.
30. West Bengal, w.e.f. Ist May 1973, vide G.S.R.224 (E), dated Ist May, 1973.

¹ Substituted by Act 44 of 1991, sec. 2(w.e.f. 2.10.1991)

² Preamble omitted by Act 44 of 1991, sec. 3.

- ³ Sec. 1(2) It extends, in the first instance, , to the whole of the State of Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh, Manipur, Punjab, Rajasthan, Uttar Pradesh, and West Berigal, and to all the Union Territories, and it shall also extend to such other State as may adopt this Act by 44 of 1991, sec 4.
- ⁴ (3) “or may become extended in future”, after “to which it extends” omitted by Act 44 of 1991, sec 4
- ⁵ Sec. 2(2) “and Ivory imported into India and an article made therefrom;” appended by Act. 44 of 1991, sec 5.
- ⁶ Sec. 2 (3) “big game” means any animal specified in Schedule III;” omitted by Act 44 of 1991, sec 5.
- ⁷ Sec. 2 (6) “Cattle” includes buffaloes, bulls, bullocks, camels cows domestic, elephants, donkeys, goats, horses, mules, pigs and sheep, and also includes their young,” omitted by Act 44 of 1991, sec 5.
- ⁸ Sec.2 (7A) inserted by Act 44 of 1991, sec. 5.
- ⁹ Sec.2 (11) “meat or specified plant, “appended by Act 44 of 1991, sec.5.
- ¹⁰ Sec.2 (12A) “Inserted by Act 44 of 1991 sec. 5.
- ¹¹ Sec.2 (13) “game reserve” means an area declared under sec. 36 to be a game reserved;” omitted by Act 44 of 1991. sec. 5.
- ¹² Sec.2 (14) “or sec. 17H;” appended by Act 44 of 1991, sec.5.
- ¹³ Sec.2 (17) “marshes and wetlands” inserted after “whether artificial of natural,” by Act 44 of 1991, sec.5.
- ¹⁴ Sec.2 (18A) “inserted by Act 44 of 1991 sec. 5.
- ¹⁵ Sec.2 (25A) inserted by Act 44 of 1991 sec. 5.
- ¹⁶ Sec. 2 (26) “26(A)” substituted after “whether under sec. “ by Act 44 of 199 1, sec 5.
- ¹⁷ Sec.2 (26A) inserted by Act 44 of 1991 sec. 5.
- ¹⁸ Sec.2 (27) “small game” means any animal specified in sch. IV “substituted by Act 44 of 1991, sec.5.
Sec 2 (30A) inserted by Act 44 of 199 1, sec 5.
- ¹⁹ Sec.2 (39) inserted by Act 44 of 1991, sec 5.