

^ Amendments

The Code has been amended several times.

S. No.	Short title of amending legislation	No.	Year
1	Wild Life (Protection) Amendment Act 1982		1986
2	Wild Life (Protection) Amendment Act 1986		1986
3	Wild Life (Protection) Amendment Act 1991		1991
4	Wild Life (Protection) Amendment Act 1993		1993
5	Wild Life (Protection) Amendment Act, 2002		2002
6	Wild Life (Protection) Amendment Act 2006		2008
7	Wild Life (Protection) <u>Amendment Act 2013</u>		2013

^ 2002 Amendment

The 2002 Amendment Act which *came into force* in January, 2003 have made punishment and penalty for offences under the Act more stringent.

Offence

For offences relating 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 enhanced, the minimum imprisonment prescribed is three years which may extend to seven years, with a minimum fine of Rs. 10,000/-. For a subsequent offence of this nature, the term of imprisonment shall not be less than three years but may extend to seven years with a minimum fine of Rs. 25,000. Also a new section (51 - A) has been

inserted in the Act, making certain conditions applicable while granting bail: 'When any person accused of the commission of any offence relating to Schedule I or Part II of Schedule II or offences relating to hunting inside the boundaries of National Park or Wildlife Sanctuary or altering the boundaries of such parks and sanctuaries, is arrested under the provisions of the Act, then notwithstanding anything contained in the Code of Criminal Procedure, 1973, no such person who had been previously convicted of an offence under this Act shall be released on bail unless -^[4]

(a) The Public Prosecutor has been given an opportunity of opposing the release on bail; and -^[4] (b) Where the Public Prosecutor opposes the application, the Court is satisfied that there are reasonable grounds for believing that he is not guilty of such offences and that he is not likely to commit any offence while on bail".

In order to 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% in each case. In addition to this, a reward up to Rs. 10,000/- is also proposed to be given to the informants and others who provide assistance in detection of crime and apprehension of the offender.

At present, persons having ownership certificate in respect of Schedule I and Part II of Schedule II animals, can sell or gift such articles. This has been amended with a view to curb illegal trade, and thus no person can now acquire Schedule I or Part II of Schedule II animals, articles or trophies except by way of inheritance (except live elephants).

Stringent measures have also been proposed to forfeit the properties of hardcore criminals who have already been convicted in the past for heinous wildlife crimes. These provisions are similar to the provisions of 'Narcotic Drugs and Psychotropic Substances Act, 1985'. Provisions have also been made empowering officials to evict encroachments from Protected Areas.

Offences not pertaining to hunting of endangered species

Offences related to trade and commerce in trophies, animals articles etc. derived from certain animals (exception: chapter V A and section 38J) attracts a term of imprisonment up to three years and/or a fine up to Rs. 25,000/-.^[5]