



# LAST MINUTE PRELIMS RECKONER 2025

**ENVIRONMENT**

**ENVIRONMENTAL LAWS**

## ENVIRONMENTAL LEGISLATIONS

### INDIAN FOREST ACT, 1927

#### Objective:

- ✓ To consolidate laws relating to forests, the transit of forest produce and the duty that can be levied on timber and other forest produce.
- ✓ Defines the procedure to be followed for declaring an area to be a Reserved Forest, a Protected Forest or a Village Forest.
  - Degree of protection: Reserve Forests (strict conservation) > Protected Forests (regulated use) > Village Forests (community-managed sustainable use).
- ✓ The act defines what is a forest offence, what are the acts prohibited inside a Reserved Forest, and penalties leviable on violation of the provisions of the Act.

#### Power distribution:

- ✓ It is the power of a State Government to issue a notification under the Act declaring the land with details of its location, area and boundary description, into a Reserved Forest.

#### Evolution & Comparison with other acts:

- ✓ Was largely based on previous Indian Forest Acts implemented under the British.
- ✓ In the colonial era, the British diverted abundant forest wealth of the nation to meet their economic needs by depriving the rights of forest dwellers.
- ✓ Therefore, procedure for settlement rights was provided under the Indian Forest Act, 1927, so that they could easily exploit the Indian forests.

### FOREST (CONSERVATION) ACT, 1980 (AMENDMENT 1988)

#### Objective:

- ✓ It was enacted to consolidate the law related to forest, the transit of forest produces and the duty leviable on timber and other forest produce.
- ✓ The Act deals with the four categories of the forests, namely reserved forests, village forests, protected forests and private forests.

#### Power distribution:

- ✓ Under the provisions of this Act, prior approval of the Central Government is required for diversion of forestlands for non-forest purposes.
- ✓ Ministry Involved: Ministry of Environment, Forest and Climate Change

#### Evolution & Comparison with other acts:

- ✓ Act is conservation oriented and does not recognize the rights of Forest Dwellers.

#### Concept Introduced

- ✓ **Reserved forest:** A state may declare forestlands or waste lands as reserved forest and may sell the produce from these forests. Any unauthorized felling of trees quarrying, grazing and hunting in reserved forests is punishable with a fine or imprisonment, or both

- ✓ **Village forests:** Reserved forests assigned to a village community are called village forests.
- ✓ **Protected forests:** The state governments are empowered to designate protected forests and may prohibit the felling of trees, quarrying and the removal of forest produce from these forests. The preservation of protected forests is enforced through rules, licenses and criminal prosecutions.

## THE FOREST (CONSERVATION) AMENDMENT ACT, 2023

### Objective:

- ✓ The Forest (Conservation) Amendment Act, 2023 aims to balance forest conservation with developmental needs and national security, while empowering the central government for its implementation.
- ✓ The Amendment Act 2023 **renames the parent legislation**, the Forest (Conservation) Act, 1980, to **Van (Sanrakshan Evam Samvardhan) Adhiniyam**, which translates to Forest (Conservation and Augmentation) Act.
- ✓ The **new name encapsulates the comprehensive approach** towards forest management, acknowledging the need for active enhancement and management of forest resources alongside conservation efforts.

### Key Provisions Of The Forest (Conservation) Amendment Act,2023:

Insertion of Preamble	<ul style="list-style-type: none"> <li>○ The Amendment Act introduces a Preamble to the Forest (Conservation) Act, 1980, renaming it <b>Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980</b>, to reflect its broader objectives. The Preamble underscores India's commitment to Net Zero Emission by 2070, achieving NDC targets by 2030, and expanding forest and tree cover to one-third of the land area, while clarifying the Act's applicability to various lands, enhancing its provisions' potential.</li> </ul>
Land under the Purview of the Act	<ul style="list-style-type: none"> <li>○ As per the amendment, the forest law will now apply exclusively to areas categorized under the <b>Forest Act,1927</b> and those designated as such on or after <b>October 25, 1980</b>. The Act will not be applicable to forests that were converted for non-forest use on or after <b>December 12, 1996</b>.</li> <li>○ The amendments seek to streamline the application of the Act to recorded forest lands, private forest lands, plantations, etc.</li> </ul>
Exempted Categories of Land	<ul style="list-style-type: none"> <li>○ The Bill proposes certain exemptions to encourage afforestation and plantation outside forests.</li> <li>○ For instance, 0.10 ha of forest land has been proposed to provide connectivity for habitation and establishments located on the side of roads and railways, up to 10 ha of land proposed for security-related infrastructure, and up to 5 ha of forest land in Left Wing Extremism Affected Districts for public utility projects.</li> <li>○ These exemptions include <b>strategic projects</b> related to national security within 100 km of the International Borders, Line of Actual Control (LAC), Line of Control (LoC), etc.</li> </ul>
Leasing of Forest Land	<ul style="list-style-type: none"> <li>○ Under the Act, a state government requires prior <b>approval of the</b></li> </ul>

	<p><b>central government</b> to assign forest land to any entity not owned or controlled by the government.</p> <ul style="list-style-type: none"> <li>Under the Act, this condition is extended to all entities, including those owned and controlled by the government. It also requires that prior approval be subject to terms and conditions prescribed by the central government.</li> </ul>
<b>Permitted Activities in Forest Land</b>	<ul style="list-style-type: none"> <li>The Act restricts the de-reservation of forests or the use of forest land for non-forest purposes. Such restrictions may be lifted with the prior approval of the central government.</li> <li>The Act specifies certain activities that will be excluded from non-forest purposes, meaning that restrictions on the use of forest land for non-forest purposes will not apply.</li> <li>These activities include works related to the conservation, management, and development of forests and wildlife such as establishing check posts, fire lines, fencing, and wireless communication.</li> </ul>
<b>Expansion of the Central Government's Power of Delegated Legislation</b>	<ul style="list-style-type: none"> <li>Prior to the amendment, the power of the Central Government to make delegated legislation was limited to making Rules only.</li> <li>In order to ensure proper implementation of the provisions of the Act, the <b>delegated legislation-making power of the Central Government has been expanded</b> and it is now been bestowed with the power to issue "directions" to any central government authority, State Governments, Union territories, or to any organization, entity or body recognized by them.</li> </ul>

## THE SCHEDULED TRIBES AND OTHER TRADITIONAL FOREST DWELLERS (RECOGNITION OF FOREST RIGHTS) ACT, 2006

### Objective:

- ✓ The act recognizes and vest the forest rights and occupation in Forest land in **Forest Dwelling Scheduled Tribes (FDST) and Other Traditional Forest Dwellers (OTFD)** who have been residing in such forests for generations.
- ✓ The act also establishes the responsibilities and authority for sustainable use, conservation of biodiversity and maintenance of ecological balance of FDST and OTFD.
- ✓ It strengthens the conservation regime of the forests while ensuring livelihood and food security of the FDST and OTFD.
- ✓ It seeks to rectify colonial injustice to the FDST and OTFD who are integral to the very survival and sustainability of the forest ecosystem.

### Power distribution:

- ✓ The Gram Sabha is the authority to initiate the process for determining the nature and extent of Individual Forest Rights (IFR) or Community Forest Rights (CFR).
- ✓ Ministry Involved: The Ministry of Tribal Affairs

### Evolution & Comparison with other acts:

- ✓ A shift from absolute protection of forest to a people centric conservation approach by recognising traditional rights of forest dwellers

### Exemptions:

- ✓ The ministry has exempted linear projects such as roads, railway lines, transmission lines passing through the area from taking permissions of gram sabhas.

### Concept Introduced:

- ✓ The act identifies four types of rights:
  - **Title rights:** It gives FDST and OTFD the right to ownership to land farmed by tribal or forest dwellers subject to a maximum of 4 hectares. Ownership is only for land that is actually being cultivated by the concerned family and no new lands will be granted.
  - **Use rights:** The rights of the dwellers extend to extracting Minor Forest Produce, grazing areas, to pastoralist routes, etc.
  - **Relief and development rights:** To rehabilitation in case of illegal eviction or forced displacement and to basic amenities, subject to restrictions for forest protection
  - **Forest management rights:** It includes the right to protect, regenerate or conserve or manage any community forest resource which they have been traditionally protecting and conserving for sustainable use.
- ✓ Act defines a **Minor Forest Produce (MFP)** as all non-timber forest produce of plant origin and includes bamboo, brushwood, stumps, canes, Tusser, cocoon, honey, waxes, Lac, tendu/kendu leaves, medicinal plants and herbs, roots, tuber and the like.

## WILDLIFE PROTECTION ACT, 1972

### Objective

- ✓ Effectively protect the wild life of this country and to control poaching, smuggling and illegal trade in wildlife and its derivatives.
- ✓ To provide protection to the listed endangered flora and fauna and ecologically important protected areas.

### Institutions Created

- ✓ **National Board for Wildlife:**
  - Primary function of the Board is to promote the conservation and development of wildlife and forests.
  - It is chaired by Prime Minister.
  - It has power to review all wildlife-related matters and approve projects in and around national parks and sanctuaries.
  - No alternation of boundaries in national parks and wildlife sanctuaries can be done without approval of the NBWL.



- ✓ **National Tiger Conservation Authority:**
  - The National Tiger Conservation Authority is a statutory body for strengthening tiger conservation, as per powers and functions assigned to it under the Act.
  - Environment Minister is the Chairman of the NTCA.
- ✓ **Wildlife Crime Control Bureau:**
  - The bureau would complement the efforts of the state governments, primary enforcers of the Wildlife (Protection) Act, 1972 and other enforcement agencies of the country.
- ✓ **Five types of protected areas as provided under the Act**
  - Sanctuaries
  - National Parks
  - Conservation Reserves
  - Community Reserves
  - Tiger Reserve.
- ✓ Power distribution- Extends to the whole of India
- ✓ Ministry Involved- Ministry of Environment, Forest and Climate Change

### Exemptions

- ✓ It provides for prohibition on use of animal traps except under certain circumstances.
- ✓ It provides for protection of hunting rights of the Scheduled Tribes in Andaman and Nicobar Islands

### Vermin:

- ✓ Vermin are wild animals that are believed to be harmful.
- ✓ When an animal is classified as “vermin” by the Central Government, the protection over the animal under the Wildlife Protection Act is removed. When a species is declared vermin, it can be culled or hunted without restriction
- ✓ Any species can be declared as vermin except for those species that are listed in Schedule I and part II of the schedule II of the Wildlife Protection Act, 1972

### Wildlife (Protection) Amendment Act, 2022

#### Objective:

- ✓ Increase the species protected under the law
- ✓ Implement the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

#### What are the Amendments?

- ✓ Reduces the total **number of schedules to four** (removing vermin schedule and add new CITES schedule)

Reduces the number of schedules to Four

Schedule I	Animal species that will enjoy the highest level of protection
Schedule II	Animal species that will be subject to a lesser degree of protection
Schedule III	Protected Plant species
Schedule IV	Specimens listed in the Appendices under CITES (scheduled specimens)

- ✓ Central government can designate a **Management Authority**, which grants export or import permits for the trade of specimens.
- ✓ Central Government can regulate or prohibit the import, trade, possession or proliferation of invasive alien species (plant or animal species which are not native to India and whose introduction may adversely impact wildlife or its habitat)
- ✓ The central government may also **notify a conservation reserve**
- ✓ **Registration certificate** for live specimens of scheduled animals:
  - People possessing live specimens of scheduled animals must obtain a registration certificate from the Management Authority.
- ✓ **Voluntary surrender of captive animals:**
  - It provides for any person to voluntarily surrender any captive animals, without any compensation and consequent authority over the animal
  - **Exception for 'live elephant':** The Bill allows for Commercial Trade In Live Elephants.
- ✓ Bill provides for any person to voluntarily surrender any captive animals or animal products to the Chief Wildlife Warden.
- ✓ Enhances the penalties prescribed for violation of provisions of the Act.
  - For 'General violations', maximum fine is increased from 25,000 to 1 lakh.
  - In case of Specially protected animals, the minimum fine of Rs. 10,000 has been enhanced to Rs. 25,000.

### About CITES:

- ✓ It is an international agreement to which States and regional economic integration organizations adhere **voluntarily**.
- ✓ Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species in the wild.
- ✓ CITES was drafted as a result of a resolution adopted in 1963 at a meeting of members of the **International Union for Conservation of Nature (IUCN)**.
- ✓ CITES entered into force in July 1975.
- ✓ The CITES Secretariat is administered by The United Nations Environment Programme (UNEP) and is located at **Geneva, Switzerland**.
- ✓ **India is a signatory** to the CITES.
- ✓ **Appendices of CITES**
  - **Appendix I** has species threatened with extinction. Trade in specimens of these species is permitted only in exceptional circumstances.

- **Appendix II** has species not necessarily threatened with extinction, but in which trade must be controlled to avoid utilisation incompatible with their survival.
- **Appendix III** contains species that are protected in at least one country, which has asked other CITES parties for assistance in controlling trade.

## COMPENSATORY AFFORESTATION FUND (CAF) ACT, 2016

### Objective:

- ✓ The Act was enacted to manage the funds collected for compensatory afforestation

### Institutions Created:

- ✓ Permanent Compensatory Afforestation Fund Management and Planning Authority (CAMPA)
- ✓ It creates Compensatory Afforestation Fund (CAF) by the Ministry of Environment and Forests
- ✓ National Compensatory Afforestation Fund and a State Compensatory Afforestation Fund under each State
- ✓ The National Fund will be under the central government, and managed by a National Compensatory Afforestation Fund Management and Planning Authority (CAMPA).
- ✓ The central government will appoint a State CAMPA in each state.
- ✓ The State CAMPA will be responsible for the management of the State Fund

### Power distribution:

- ✓ As per the act, 90% of the CAF money is to be given to the states while 10% is to be retained by the Centre.
- ✓ **Ministry involved:** Ministry of Environment, Forest and Climate Change

### Concept Introduced:

- ✓ Compensatory afforestation means that every time forest land is diverted for non-forest purposes such as mining or industry, the user agency pays for planting forests over an equal area of non-forest land, or when such land is not available, twice the area of degraded forest land.

## BIOLOGICAL DIVERSITY ACT, 2002.

### Objective

- ✓ Conservation of biological diversity
- ✓ Sustainable use of its components
- ✓ **Fair and equitable sharing of the benefits** arising out of utilization of genetic resources

### Institutions Created

- ✓ **National Biodiversity Authority:**
  - NBA focuses on advising the Central Government on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing benefits arising out of the utilization of biological resources; and advising the State Governments in the selection of areas of biodiversity importance to be notified as heritage sites and measures for the management of such heritage sites.
  - The NBA with its **headquarters in Chennai**, Tamil Nadu, since its establishment has supported creation of SBBs in all States.

- ✓ ~~State Biodiversity Boards.~~



- SBBs Focus on advising the State Governments, subject to any guidelines issued by the Central Government, on matters relating to the conservation of biodiversity, sustainable use of its components and equitable sharing of the benefits arising out of the utilization of biological resources
- ✓ **National Biodiversity Funds:**
  - Whatever money National Biodiversity Authority receives as fees, fines etc. and whatever money it gets as grants etc. is kept in the National Biodiversity Fund. The money from this fund is used to benefit the claimers and promotion of conservation and socio-economic development in source areas.
- ✓ **State Biodiversity Funds:**
  - This fund has to be created at state level to credit any grants and loans made to the State Biodiversity Board by the National Biodiversity Authority and money from other sources. The money is used in the management and conservation of heritage sites; compensating or rehabilitating any section of the people economically affected when an area is declared Biodiversity Heritage Sites; and conservation and promotion of biological resources.
- ✓ **Biodiversity Management Committee:**
  - As per the Biological Diversity Act 2002, BMCs are created for “promoting conservation, sustainable use and documentation of biological diversity” by local bodies across the country. The main function of the BMC is to prepare People’s Biodiversity Register in consultation with the local people. The Register shall contain comprehensive information on availability and knowledge of local biological resources, their medicinal or any other use or any other.

### Power distribution

- ✓ It extends to the whole of India.
- ✓ If a dispute arises between the National Biodiversity Authority and a State Biodiversity Board, the said Authority or the Board, as the case may be, may prefer an appeal to the Central Government within such time as may be prescribed

### Evolution & Comparison with other acts

- ✓ The act provides a legal framework to realize the objectives of **UN Convention on Biological Diversity (CBD) 1992.**

### Concept Introduced

- ✓ Biodiversity Heritage Sites (BHS): Biodiversity heritage sites (BHS) should include both wild and domesticated biodiversity and human cultural relations with such biodiversity.

## **BIOLOGICAL DIVERSITY (AMENDMENT) ACT, 2023**

### Key changes made from the Biological Diversity Act of 2002 to the Biodiversity Amendment Act of 2023:

Aspect	Biological Diversity Act, 2002	Biodiversity Amendment Act, 2023
<b>Regulatory Exemptions</b>	Required prior approval or notification for accessing biological resources.	<b>Exempts AYUSH practitioners, local communities, and cultivators</b> from needing prior notification to the State Biodiversity Boards (SBB) for commercial use of biological resources. Additionally, it exempts users accessing codified traditional knowledge, and cultivated medicinal plants and products for registered AYUSH practitioners.
<b>IPR Approval Process</b>	Required obtaining NBA's approval before filing for IPR on biological resources derived from India.	Modifies the process, necessitating <b>NBA's approval before the grant of IPR rather than before the application</b> . Also specifies that any person applying for IPR or having obtained IPR based on biological resources or associated traditional knowledge must register with or obtain prior approval from the NBA, respectively, especially at the time of commercialization.
<b>Benefit Sharing Obligations</b>	Enforced benefit sharing by users of biological resources and associated traditional knowledge with the local communities.	Excludes <b>users of "codified traditional knowledge"</b> from the obligation of benefit sharing, aiming for fair and equitable sharing without deterring traditional practices and commercialization of cultivated medicinal plants and their products.
<b>Penalties for Offences</b>	Offences (e.g., unauthorized activities) punishable by up to 5 years, a fine, or both.	Shifts to <b>finest between Rs 1 lakh and Rs 50 lakh for offences</b> , with additional penalties up to Rs 1 crore for ongoing violations. Adjudicating officers not below the rank of Joint Secretary are to decide penalties, emphasizing a more structured and less punitive approach.
<b>Composition and Role of NBA</b>	Comprised of 10 ex-officio members besides the Chairman, and 5 non-official members from among experts and scientists.	Expanded to <b>16 ex-officio members from various ministries, 4 SBB representatives, 5 non-official members among experts</b> , including legal, and a Member-Secretary experienced in biodiversity conservation as the chief coordinating officer. This expansion and the introduction of the Member-Secretary role aim to enhance NBA's governance and operational capabilities.

### United Nations Convention on Biological Diversity (CBD):

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- The United Nations Convention on Biological Diversity (CBD) is an international treaty that is legally binding for its **196 member countries, including India**.
- **Established in 1992**, its aims are to:
  - Conserve biological diversity.
  - Ensure sustainable use of its components.
  - Facilitate the fair and equitable sharing of benefits arising from genetic resources.
- **India has endorsed all three core protocols associated with the CBD:**
  - The Nagoya Protocol on benefit sharing.
  - The Cartagena Protocol on biosafety.
  - The Nagoya-Kuala Lumpur Supplementary Protocol on liability.
- The governing body of the CBD is the **Conference of Parties (COP)**.

## **WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 (Amendment 1988)**

### **Objective:**

- ✓ To prevent and control water pollution
- ✓ To assess pollution levels and punish polluters
- ✓ To maintain or restore the wholesomeness of water
- ✓ The 1988 amendments modified Sec. 49 to allow citizens to bring actions under the Water Act. Now a State Board must make relevant reports available to complaining citizens, unless the Board determines that the disclosures would harm “public interest”

### **Institutions Created:**

- ✓ Establishment of central and state boards for pollution control
- ✓ Principal functions of the **Central Pollution Control Board (CPCB)**, as spelt out in the Water (Prevention and Control of Pollution) Act, 1974, and the Air (Prevention and Control of Pollution) Act, 1981, to
  - Promote cleanliness of streams and wells in different areas of the States by prevention, control and abatement of water pollution, and
  - Improve the quality of air and to prevent, control or abate air pollution in the country.

### **Power distribution:**

- ✓ The Act vests regulatory authority in State Pollution Control Boards to establish and enforce effluent standards for factories.
- ✓ A Central Pollution Control Board performs the same functions for Union Territories and formulate policies and coordinates activities of different State Boards.
- ✓ Ministry Involved: **Ministry of Environment, Forest and Climate Change**

### **Evolution & Comparison with other acts:**

- ✓ Prior to its amendment in 1988, enforcement under the Act was achieved through criminal prosecutions initiated by the Boards.
- ✓ The 1988 amendment act empowered SPCB and CPCB to close a defaulting industrial plant.

## **THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT OF 1981 AND AMENDMENT, 1987**

**Objective:**

- ✓ To improve the quality of air and to prevent, control and abate air pollution in the country.

**Institutions Created:**

- ✓ The Air Act expanded the authority of the central and state boards established under the Water Act, to include air pollution control
- ✓ 1987 amendment introduced a citizen's suit provision into the Air Act and extended the Act to include noise pollution.

**Power distribution:**

- ✓ All industries operating within designated air pollution control areas must obtain a "consent" (permit) from the State Boards.
- ✓ The states are required to prescribe emission standards for industry and automobiles after consulting the central board and noting its ambient air quality standards.
- ✓ Ministry involved: **Ministry of Environment, Forest and Climate Change**

**ENVIRONMENT (PROTECTION) ACT OF 1986****Objective:**

- ✓ The Act is an "umbrella" for legislations designed to provide a framework for Central Government, coordination of the activities of various central and state authorities established under previous Acts, such as the Water Act and the Air Act.
- ✓ The Act explicitly prohibits discharges of environmental pollutants in excess of prescribed regulatory standards.
- ✓ There is also a specific prohibition against handling hazardous substances except those in compliance with regulatory procedures and standards.

**Power distribution:**

- ✓ Through this Act Central Government gets full power for the purpose of protecting and improving the quality of the environment.
- ✓ Ministry Involved - **Ministry of Environment, Forest and Climate Change**

**Evolution & comparison with other acts:**

- ✓ In the wake of the Bhopal tragedy, the government of India enacted the Environment Act of 1986.
- ✓ The purpose of the Act is to implement the decisions of the United Nations Conference on the Human Environment of 1972.
- ✓ The act provides that any person, in addition to authorized government officials, may file a complaint with a court alleging an offence under the Act

**Concept introduced**

- ✓ Environment is defined to include water, air and land and the inter-relationships which exist among water, air and land and human beings and other living creatures, plants, microorganisms and property.
- ✓ Environmental pollution is the presence of pollutant, defined as any solid, liquid or gaseous substance present in such a concentration as may be or may tend to be injurious to the environment.
- ✓ Hazardous substances include any substance or preparation, which may cause harm to human beings, other living creatures, plants, microorganisms, property or the environment.
- ✓ Eco sensitive Zones are defined as those areas 'that are ecologically and economically important, but vulnerable even to mild disturbances, and hence demand careful management'.

## NATIONAL GREEN TRIBUNAL ACT, 2010

### Objective:

- ✓ Enables **creation of National Green Tribunal (NGT)** to handle the expeditious disposal of the cases pertaining to environmental issues.
- ✓ The specialized architecture of the NGT will facilitate fast track resolution of environmental cases and provide a boost to the implementation of many sustainable development measures.
- ✓ NGT is mandated to dispose the cases within six months of their respective appeals.
- ✓ Ministry Involved- Ministry of Environment, Forest and Climate Change.

### National Green Tribunal

- ✓ It was enacted under India's constitutional provision of Article 21, which assures the citizens of India the right to a healthy environment.
- ✓ The Tribunal's dedicated jurisdiction in environmental matters shall provide speedy environmental justice and help reduce the burden of litigation in the higher courts.
- ✓ The Tribunal shall not be bound by the procedure laid down under the Code of Civil Procedure, 1908, but shall be guided by principles of natural justice.
- ✓ The Chairperson of the NGT is a retired Judge of the Supreme Court
- ✓ **Laws Covered by NGT:** The NGT adjudicates on matters related to the Water (Prevention and Control of Pollution) Act, 1974; Water (Prevention and Control of Pollution) Cess Act, 1977; Forest (Conservation) Act, 1980; Air (Prevention and Control of Pollution) Act, 1981; Environment (Protection) Act, 1986; Public Liability Insurance Act, 1991; and the Biological Diversity Act, 2002.
- ✓ **Laws Not Covered by NGT:** The NGT does not have jurisdiction over the Wildlife (Protection) Act of 1972 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006, which are administered through separate legal frameworks.

## PREVENTION OF CRUELTY TO ANIMALS ACT, 1960

### Objective:

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- ✓ To prevent the infliction of unnecessary pain or suffering on animals and to amend the laws relating to the prevention of cruelty to animals.

### Institutions Created:

- ✓ The Animal Welfare Board of India (AWBI) scheme relates to provision of assistance for the following type of activities:
  - ✓ Financial assistance to animal welfare organizations for maintaining the stray animals in distress and for their treatment
  - ✓ Human education programmes for the welfare of animals are implemented by the AWBI.
  - ✓ Expenditure on a variety of other animal welfare activities such as rescue of cattle from illegal smuggling and transportation, rehabilitation of rescued circus animals, lab animals, inspections, legal expenses in connection with court cases pertaining to animal welfare, mobile clinics is also incurred.
- ✓ Ministry Involved-
  - Animal Welfare Board is under Ministry of Fisheries, Animal Husbandry and Dairying (Department of Animal Husbandry and Dairying).
  - PCA Act has recently been moved under Ministry of Agriculture from MoEFCC.

### Constitutional Provisions for Wildlife:

- ✓ **Article 48A** - The State shall endeavor to protect and improve the environment and to safeguard the forests and wildlife of the country.
- ✓ **The 42nd Amendment Act, 1976**, Forests and Protection of Wild Animals and Birds was transferred from State to Concurrent List.
- ✓ **Article 51 A (g) of the Constitution** states that it shall be the fundamental duty of every citizen to protect and improve the natural environment including forests and Wildlife.