

Modify GO on shooting wild pigs

By Praveen Bhargav

Even as the celebration of Wildlife Week had commenced on October 1 2016, the Karnataka government was busy issuing a shocking blanket order to enable hunting of wild pigs across the state. The stated reason was that farmers were suffering due to crop loss caused by wild pigs.

While the issue certainly deserves to be addressed, the implementation of the poorly reasoned government order (GO) will have grave consequences for wildlife conservation. The issue needs to be viewed pragmatically from two perspectives – the need to protect wildlife as mandated by law and the necessity to provide relief to affected farmers.

The GO fails to strike an appropriate balance on this key issue. It is based on a narrow and incorrect reading of Section 11(1) (b) of the Wildlife (Protection) Act, 1972 (WLPA). Fundamentally, the overarching goal of the WLPA is to ensure protection of wildlife. Therefore, any order must contain adequate safeguards to ensure that criminal elements do not exploit this order to hunt wild animals.

A threadbare reading of Section 11 makes it clear that hunting can be permitted only in certain cases, subject to provisions of Chapter IV of the WLPA. Importantly, Chapter IV contains several prohibitions. Entry into a sanctuary with a weapon is prohibited and it is pertinent to mention that many sanctuaries have agricultural enclosures inside. And there are restrictions on possession of weapons around 10 km of any sanctuary or national park. There is a duty cast upon the chief wildlife warden (CWLW) to ensure the security of wild animals.

All wild animals are government property and the law specifies that no person shall destroy such property without a written permission of the CWLW or the authorised officer. The order states that it grants permission to hunt though no such power is vested in the government under Section 11. In view of this, there is no latitude to grant blanket orders to kill wild pigs. However, under Section 12, the government can grant permission for translocation and population management of wild animals, without killing them.

So, what are the reasonable solutions that carefully balance wildlife protection and the genuine concerns of the farmers?

Killing wild pigs must be the last resort after all other methods of scaring them away have failed.

Correct approach

If such a situation prevails in a certain area, the correct approach would be for the CWLW or the authorised officer to act independently in specific cases and grant individual permissions with reasons stated. It must specify the area and time period for hunting pigs. A valid arms licence together with registration details recorded under the WLPA – if the area is within 10 km of a sanctuary or national park – must be furnished and no fresh arms licences must be granted.

Since the potential for misuse is real, individual permissions must also contain strict conditions which prohibit entry with a weapon into any agricultural enclosure/village located within a reserved forest or sanctuary and shooting of wild pigs on the borders of forests. Shooting at night with headlights and killing of any other wild animal and/or concealing of the carcass without spot mahazar including use of illegal muzzle loading guns will lead to arrest and prosecution under the Wildlife Act and Arms Act. Granting such individual permissions also pose the additional risk of innocent people/bystanders getting shot accidentally.

Without doubt, the genuine grievances of farmers require to be addressed. The government must ensure that farmers suffering crop damage caused by any wild animal including pigs must be adequately compensated. A special allocation can be made under the large Compensatory Afforestation Management and Planning Authority fund for this purpose. In order to ensure that the claims are settled in a time bound manner, it must be brought under Sakala.

Lastly, a constructive dialogue between conservationists, farmer leaders and the forest department is necessary to debate long-term, site-specific solutions involving change in cropping pattern around wildlife areas. Other solutions on creation of community reserves, on private land immediately abutting sanctuaries or in enclosures owned by an individual farmer or a farmers' collective, to develop sustainable low impact wildlife tourism, can also be explored. *(The writer is a trustee of Wildlife First and has served on the National Board for Wildlife)*