

GUIDELINES FOR APPOINTMENT OF HONORARY

WILDLIFE WARDENS

The Need

1. People's participation and support is crucial for nature and Wildlife conservation, One of the important ways of enlisting such support is by involving the community leaders and other persons of standing, who have the interest as well as the capacity to render assistance for this cause. Such assistance can be very useful in control over poaching for this clandestine trade in wild animals or their articles, identification of relatively less known wildlife refuges needing protection, carrying the message of conservation to the people living in and around the sanctuaries and national parks, and related matters. This objective can be accomplished if really suitable public men are identified, duties and appointed Honorary Wildlife Wardens, with their responsibilities, and powers clearly defined.

Legal Status

2. Section 4 of the Wildlife (Protection) Act. 1972 empowers the State Government to appoint

(a) a Chief Wildlife Warden

(b) Wildlife Wardens; and

(c) such other officers and employees as may be necessary for the purposes of the Act.

Honorary Wildlife Wardens can be appointed under sub-section (c) of section 4 of the Act. Under section 59 of the aforesaid Act, such Honorary Wildlife Wardens shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Criteria for Selection

3. It is very important that the right persons are selected for appointment as Honorary Wildlife Wardens. Every State has a Chief Wildlife Warden and it is mainly his duty to recommend the names of suitable person for this purpose. However, in order to assist him in this regard as well as to introduce a measure of wider participation, the members of the State Wildlife Advisory Board should be requested to suggest suitable names, especially from their own areas.

4. The following criteria should be kept in mind while assessing the suitability of a person as an Honorary Wildlife Warden:

(a) Genuine concern for Wildlife conservation.

(b) Personal record free of involvement in any activity detrimental to the interests of nature and wildlife conservation.

Any person involved in commercial exploitation of Wildlife should not be considered.

(c) Capacity to render help to the official machinery.

(d) Local standing which make him/her effective, especially in conveying the conservation message.

5. An important point to bear in mind is the identification of areas particularly prone to poaching, e.g. forests in the vicinity of urban centres and cantonments or close to sanctuaries and national park. Likewise, centres of clandestine trade in wildlife and products thereof should be identified; so also areas where damage to people or their property from wild animals is heavy. Selection of persons as Honorary Wildlife Wardens must be related to such problem areas because it is these areas which need priority attention and where public participation is needed most.

Procedure for Appointment

Under Section 6 of the Wildlife (Protection) Act, 1972, every State and Union Territory has a Wildlife Advisory Board to aid and advise the Government in matters connected with the protection of wildlife. The appointment of an Honorary Wildlife Warden should be generally with the recommendation of this Advisory Board. The Chief Wildlife Warden should submit the proposals for this purpose at the meetings (s) of the Board and then seek the orders of the Government.

While recommending any person for such appointment, the criteria laid down in paras 4 and 5 above must be kept in mind by the Board. The appointment of an Honorary Wildlife Warden should, in the first instance, be generally for a period of one year. Thereafter on the recommendation of the Wildlife Advisory Board, it may be renewed for a period not exceeding 2-3 years at a time.

The Wildlife Advisory Board of each State/Union Territory should review the functioning of the scheme of Honorary Wildlife Wardens at least once every year.

The appointment order of an Honorary Wildlife Warden should clearly specify the jurisdiction, which should normally be a district or a few districts, in the area where the person resides. However, there is no objection to making members of the State Wildlife Advisory Board Honorary Wardens for larger areas.

Each Honorary Warden should be issued an identity Card having his signature and photograph duly attested by the Chief Wildlife Warden. The Chief Wildlife Warden should also give each Honorary Warden a small booklet containing the Wildlife (Protection) Act and the Rules made thereunder as well as the duties, responsibilities, and power of an Honorary Wildlife Warden.

The State Government may, at its discretion, terminate the appointment of an Honorary Wildlife Warden at any time, without assigning reasons.

Duties and Responsibilities

13. The main duty and responsibility of an Honorary Wildlife Warden is to assist whole heartedly the State organization responsible for wildlife conservation work, especially with regard to the following matters :

- (a) Control of poaching and clandestine trade in wild animals and products / articles thereof
- (b) Detection and prosecution of offences under the Wildlife (Protection) Act and the Rules made thereunder.
- (c) Preventing damage to the habitat of wildlife.
- (d) Identification and selection of areas suitable to be declared as sanctuaries, national parks, closed areas, etc; as well as measures for their proper protection.
- (e) Measures for dealing with the problem of damage by wild animals to life and property, including the assessment and payment of compensation, etc.
- (f) Carrying the message of conservation to the people and enlisting public support for nature and wildlife conservation. The effort should be specially directed towards the communities living in or near the declared wildlife reserves.
- (g) Any other matter connected with the protection of wildlife, which may be entrusted by the Wildlife Advisory Board or the Chief Wildlife Warden of the State, from time to time.

Powers

14. In accordance with sub-section (3) of section 4 of the Wildlife (Protection) Act, 1972, an Honorary Wildlife Warden appointed under sub-section (2) (c) of section 4 shall be subordinate to the Chief Wildlife Warden of the State and under section 59 of aforesaid Act, he shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. Protection for action taken in good faith is provided under section 60 of the Act.

15. With a view of making the Honorary Wildlife Wardens useful and effective it is necessary that the following specific powers under the Wildlife (Protection) Act, 1972 should be delegated to them:

(a) Power to inspect records of licences under section 47 (b) of the Act;

(b) Powers of entry, search, seizure, and detention under section 50 for prevention and detection of offences under the Act.

16. Suitable Honorary Wildlife Wardens could be authorised also to file complaints in courts in accordance with section 55 of the Wildlife (Protection) Act, 1972. Normally, however, an Honorary Wildlife Warden should bring the offence detected by him to the notice of the Wildlife Warden having jurisdiction for making proper investigation and lodging a complaint in the Court as laid down in section 55 of the Act.

17. Apart from the above, the State Government may delegate any other power under the aforesaid Act, as it may consider necessary.

General

18. Just as it is expected that the Honorary Wildlife Wardens should assist the State Wildlife organization, it is equally essential that the Chief Wildlife Warden and the whole State Machinery responsible for the protection of wildlife should take all possible steps to associate the Honorary Wildlife Wardens in their work. This can be achieved best by fostering a spirit of mutual trust and confidence.

19. No staff or vehicle support can be provided to Honorary Wardens as a matter of course. However, if the circumstances warrant, the departmental staff should provide all possible help and assistance. Instructions to this effect should be issued by the State Government to all concerned officers in the field.

20. It is also appropriate that the actual expenses incurred by an Honorary Warden on travel by public transport for carrying out the duties assigned to him should be reimbursed by the State Government. In addition, all actual expenses incurred in the detection of an offence under the Wildlife (Protection) Act, which leads to successful prosecution may be reimbursed after due verification.

21. The State Government should recognise outstanding work or service rendered by any Honorary Warden. Such recognition can be by way of a letter of commendation, or a certificate signed by the Minister in charge of the Department, or the membership of the State Wildlife Advisory Board. Cash grants could also be considered in suitable cases.