

Bill No. 48 of 2020

THE PAYMENT OF COMPENSATION TO PERSONS ATTACKED
BY WILD ANIMALS BILL, 2020

By

SHRI TIRATH SINGH RAWAT, M.P.

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BILL

to provide for payment of compensation to persons attacked by wild animals and for matters connected therewith.

BE it enacted by Parliament in the Seventy-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Payment of Compensation to Persons Attacked by Wild Animals Act, 2020. Short title and extent.

(2) It extends to the whole of India.

5 **2.** In this Act, 'wild animal' has the same meaning as assigned to it in the Wild Life Definitions.
53 of 1972. Protection Act, 1972.

Central Government to frame a scheme for compensation to persons attacked by wild animals.

3. (1) The Central Government shall frame a Scheme for payment of compensation to persons attacked by wild animals.

(2) Without prejudice to the generality of the foregoing provision, the scheme shall include:—

(i) **payment of compensation of rupees two lakh in case of death caused by a wild animal;** 5

(ii) **payment of compensation of rupees fifty thousand in case of an injury caused by a wild animal;**

(iii) **an insurance scheme for persons residing near areas generally inhabited or frequented by wild animals; and** 10

(iv) **compensation in case of damage or loss to property or crops due to attack by wild animals.**

(3) The Central Government may, by notification in the Official Gazette, make rules for payment of compensation to the persons attacked by wild animals.

Compensation not payable in certain circumstances.

4. Notwithstanding anything contained in section 3, no compensation shall be payable to a person attacked by wild animal under the following circumstances:— 15

(i) if he has gone to a forest area or an area generally inhabited or frequented by wild animals for the purpose of hunting or capturing the wild animals alive;

(ii) if he has attacked a wild animal except under the circumstance of self-defence;

(iii) if he has strayed into an area which is exclusively specified for wild animals; and 20

(iv) if he commits any act which would result in hunting or torturing or leading to cruelty to or exploiting a wild animal.

Administration of the Scheme.

5. The Scheme shall be administered by such authority, not lower in rank than the District Collector, as may be specified by the Central Government. 25

Act to have overriding effect.

6. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Power to make rules.

7. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 30 35

STATEMENT OF OBJECTS AND REASONS

In the recent days, there have been several cases of attacks by wild animals on innocent persons resulting in death or serious injury to those persons. There have also been instances when property and crops were damaged by wild animals.

It has also been seen that the victims of attack by wild animals are mostly poor people. After such attacks, it often happens that they either die or suffer from permanent disability. In either case, their dependants have to fight for their survival. At present there is no provision for payment of compensation to the persons attacked by wild animals. There is a provision for punishment for cruelty to wild animals but there is no provision for compensation if wild animals attack innocent persons.

Therefore, a provision, with due safeguards, has been made for payment of compensation to persons attacked by wild animals.

NEW DELHI;
January 21, 2020

TIRATH SINGH RAWAT

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that the Central Government shall frame a Scheme for payment of compensation to the persons attacked by wild animals. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees three hundred crore per annum.

A non-recurring expenditure of about rupees two hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative powers is of a normal character.

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(Shri Tirath Singh Rawat, M.P.)