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Between Forest and Farm: Human–Wildlife Conflict Governance and the Limits of Law in Kerala

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Human–wildlife conflict (HWC) can be considered one of the major governance challenges in many parts of India. Kerala, with its high population density, extensive forest cover along the Western Ghats, a very important biodiversity hotspot, and a long history of settled cultivation in hill areas, presents a small manifestation of this crisis. Elephants, wild boars, monkeys, leopards, and venomous snakes regularly tend to encroach upon agricultural lands and village boundaries, causing economic loss, injury, and death, while retaliatory killings threaten vulnerable species. This paper seeks to understand a systematic legal analysis of the framework governing HWC in Kerala by examining the foundational Wildlife (Protection) Act, 1972, the Forest Rights Act, 2006, and the landmark Wildlife (Protection) (Kerala Amendment) Act, 2025. It traces the evolution of judicial responses from the Supreme Court's decisions in T.N. Godavarman Thirumulpad v Union of India to the ongoing Kerala High Court proceedings in Baiju Paul Mathews v State of Kerala and evaluates administrative interventions, including Kerala's declaration of HWC as a state-specific disaster in 2024 and the revised compensation framework. The paper also identifies critical gaps in the existing regime: the absence of dedicated HWC legislation, unresolved tensions between forest rights and wildlife governance, inadequate accountability mechanisms for lethal action, and insufficient compensation. It concludes with recommendations for a national HWC statute, harmonisation of competing legal frameworks, and integration of the precautionary principle into conflict governance, arguing that effective legal response must address structural ecological drivers, not merely crisis symptoms.

Keywords: *wildlife protection, forest rights, conservation law.*

INTRODUCTION

Biodiversity is essential for the survival of human populations, and so is the conservation of wildlife. Yet the loss of biodiversity has far-reaching impacts not only on livelihoods but on the entire web of ecological relationships that sustain life.[1] As human populations grow and the demand for natural resources expands, the physical boundaries between human habitation and wildlife habitat have progressively narrowed. The result is a global phenomenon now recognised formally by the International Union for Conservation of Nature (IUCN) as human–wildlife conflict: the struggles that emerge when the presence or behaviour of wildlife poses an actual or perceived, direct and recurring threat to human interests or needs, leading to disagreements between groups of people and negative impacts on people and/or wildlife.[2]

The southern Indian state Kerala has a unique geography where a narrow coastal strip is backed by the Western Ghats, one of the richest biodiversity hotspots.[3] A large share of its territory is forest, and people live in unusual proximity to diverse and sometimes dangerous wildlife. Elephants, wild boars, monkeys, leopards, and venomous snakes regularly move through agricultural lands, plantation estates and village boundaries, generating economic loss, physical injury, and even death.

The response to this crisis has not been even. The Wildlife (Protection) Act 1972, the national legislation, was enacted primarily as a conservation statute and does not contain a dedicated framework for HWC prevention or management.[4] State-level initiatives have been reactive, and compensation schemes have historically been inadequate and slow. This paper focuses on the legal framework governing HWC in Kerala, examining the statutory measures, the evolution of judicial decisions, and the administrative and policy responses layered onto an insufficient legislative base.

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[1] *National Human Wildlife Conflict Mitigation Strategy and Action Plan of India* (Ministry of Environment, Forest and Climate Change, Government of India 2021)
[2] 'Human-wildlife conflict' (*International Union for Conservation of Nature*) <https://www.iucn.org/resources/issues-brief/human-wildlife-conflict> accessed 25 August 2026
[3] 'WESTERN GHATS NILGIRIS LANDSCAPE' (*WWF-India*) <https://www.wwfindia.org/our_work/our_landscapes/western_ghats_nilgiris/> accessed 25 August 2026
[4] Wildlife (Protection) Act 1972, ss 11(1)(a) and 11(1)(b)

HUMAN–WILDLIFE CONFLICT: CAUSES AND DIMENSIONS

Human activities are the primary cause of human–wildlife conflict, accounting for nearly 41 per cent of causes, with major factors including habitat loss and fragmentation, agricultural expansion, rapid urbanisation, infrastructure development and climate change.[5] These processes cause the overlap between human populations and wildlife, compelling animals to move into human-dominated landscapes.[6]

In Kerala specifically, the combination of high population density, a long history of cultivation in hill areas, the early spread of plantation agriculture, and significant forest cover creates a complex scenario in which densely populated human settlements tend to coexist closely with protected forest regions. Kerala's forest cover encompasses nearly 30 per cent of the State's geographical area, and approximately 50 lakh families, predominantly settler farmers, live in or adjacent to these forested zones.

The economic consequences of HWC are very complicated. Crop raiding by herbivores like elephants, wild boar, monkeys, porcupines, and squirrels is the most widespread form of conflict.[7] Studies indicate that approximately 45Species of edible and commercial plants are regularly destroyed by wild animals in Kerala, including paddy, coconut, arecanut, rubber, banana, coffee, cardamom, and pepper. Predatory species such as tigers and leopards attack livestock including cattle, goats, and poultry, causing further economic loss. In the most serious incidents, wild animals, primarily elephants, snakes, bees and wild boars, cause direct injury or death to human beings.

A 2021 report by the World Wide Fund for Nature and the United Nations Environment Programme identifies HWC as a major threat to the survival of many species worldwide, noting that retaliatory and preventive killings of wildlife can push already vulnerable species toward extinction.[8] The report emphasises that HWC is not only a conservation concern but

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[5] Shaurabh Anand and Sindhu Radhakrishna, 'Does Mining Escalate Human-Wildlife Conflict?: Insights from Human-Rhesus Macaque Conflict in a Coal-Mining Region in Southern India' (2024) 52 Human Ecology 135 <https://doi.org/10.1007/s10745-024-00481-w?urlappend=%3Futm_source%3Dresearchgate.net%26utm_medium%3Darticle> accessed 25 August 2026

[6] Philip J Nyhus, 'Human-Wildlife Conflict and Coexistence' (2016) 41 Annual Review of Environment and Resources 143 <https://doi.org/10.1146/annurev-environ-110615-085634 accessed 25 August 2026

[7] *Ibid*

[8] 'Human-wildlife conflict one of the greatest threats to wildlife species - WWF and UNEP report' (*UN Environment Programme*, 08 July 2021) <https://www.unep.org/news-and-stories/press-release/human-wildlife-conflict-one-greatest-threats-wildlife-species-wwf> accessed 25 August 2026

also a serious development and humanitarian matter, disproportionately affecting farmers, herders, fishers, and indigenous communities living in poverty.

Climate change adds a further layer of complexity to this grave issue. The availability of water sources within the forest is shrinking, and the seasonal flooding during the monsoon reduces food availability in forests, compelling animals to search for food in nearby human areas. A notable decline in the protein content of wild food plants inside forests has been observed, which forces animals toward nutrient-rich crops such as paddy, tubers and plantains. An increase in wildlife populations, particularly fast-breeding species like wild boars, further intensifies the problem. These issues are structural, ecological, and long-term qualities that a legal system with the framework right now is not able to address.

One important aspect to consider is that wildlife often enters human settlements because their natural habitat is shrinking over time. As the human population is growing, forests are being cleared for housing, roads, industries, agriculture, and other developmental activities. As a result, animals lose the space and resources they need to survive and are forced to move into nearby villages, towns, and agricultural lands in search of food, water, and shelter.

In many cases, animals entering human areas cannot be considered a deliberate act of aggression but a consequence of the loss of their natural habitat. When such encounters occur, people may resort to defensive or retaliatory killing, especially if there has been damage to property, crops, livestock, or even threats to human life. However, the frequent killing of wild animals can have serious consequences for wildlife conservation in the long term. If members of a species are repeatedly killed whenever conflicts arise, their population may gradually decline. This is particularly concerning for species that are already endangered.

To address the emerging challenges of human–wildlife conflict in the context of climate change, mitigation measures must move beyond compensation and focus on prevention, adaptation, and coexistence. Different strategies can include the restoration of wildlife habitats and corridors to reduce animal movement into human settlements, ensure adequate availability of food and water within forests and promote community-based conservation programmes that involve local populations in monitoring and conflict prevention. Early warning systems, the use of non-lethal measures like solar-powered fencing and bio-fences,

crop diversification, and timely compensation mechanisms can help to reduce losses suffered by affected communities. As we are suffering from scarcity of resources and altered wildlife behaviour, legal and policy frameworks must integrate ecological adaptation measures with social protection schemes, ensuring that both biodiversity conservation and the livelihoods of vulnerable communities are safeguarded in the long term.

MITIGATION MEASURES

Individual Measures: Individual farmers and rural communities often tend to rely on a range of practical, cost-effective measures to protect their crops, livestock, and property from wildlife intrusion. One such method is bio-fencing,[9] which involves planting dense or thorny shrubs and trees along field boundaries to create a natural barrier that prevents the entry of wild animals. Another commonly adopted strategy is the use of sound-based measures,[10] whereby farmers employ drums, tin cans, firecrackers, or recorded sounds to scare away birds and wild animals that threaten agricultural produce. In addition, yellow taping[11] and other forms of visual boundary markers are used to demarcate field limits, thereby reducing accidental intrusion by both humans and animals. Collectively, these grassroots measures demonstrate the adaptability and ingenuity of farming communities, which often combine traditional ecological knowledge with readily available materials to mitigate human–wildlife conflict in a manner that is both affordable and environmentally sustainable.

Rapid Response Teams: The Kerala Forest Department has established Rapid Response Teams (RRTs)[12] as another mechanism for immediate intervention during wildlife conflict emergencies. The RRTs serve mainly a dual function: providing a swift operational response when conflict incidents occur, and also acting as a coordinating link between the forest

[9] Dinesh Kumar et al., 'Development of bamboo- (Bambusa bambos) based bio-fence to protect field crops: Insights from a study in India's Bundelkhand region' (2022) 10 Frontiers in Ecology and Evolution 943226 <https://doi.org/10.3389/fevo.2022.943226> accessed 25 August 2026

[10] 'Use loud noises to deter crop damage (e.g. banger sticks, drums, tins, iron sheets) by mammals to reduce human-wildlife conflict' (*Conservation Evidence*) <https://www.conservationevidence.com/actions/2460> accessed 25 August 2026

[11] Krithi K Karanth and Sahila Kudalkar, 'History, Location, and Species Matter: Insights for Human–Wildlife Conflict Mitigation from India' (2017) 22(4) Human Dimensions of Wildlife 331 <https://doi.org/10.1080/10871209.2017.1334106> accessed 25 August 2026

[12] 'Human Wildlife Interface' (*Kerala Forest Department*) <https://forest.kerala.gov.in/en/rapid-response-team-rrt/> accessed 25 August 2026

administration and the affected communities. Their deployment represents a shift from purely reactive enforcement to something that is more anticipatory and community-oriented.

Technology-Enabled Early Warning Systems: A notable development has been the introduction of technology-based early warning systems, including those initiated by organisations such as the Nature Conservation Foundation. These systems combine traditional communication channels, radio and television broadcasts, with modern tools such as SMS alerts[13] and mobile-operated LED indicators to create a real-time information network. By enabling communities to receive warnings of animal movement, such systems allow for the adoption of precautionary behaviour, reducing exposure, securing livestock, and avoiding high-risk routes that can prevent incidents before they occur.

Solar Fencing and Physical Infrastructure: The Kerala Government's 45-day mission launched in August 2024 identified solar fencing as a priority mitigation infrastructure, alongside habitat management and early warning systems. Solar fences offer a non-lethal deterrent that can be deployed along long stretches of forest boundary at lower cost than permanent stone or concrete walls.

The Forest Department should ensure the availability of adequate drinking water sources[14] within forest areas, particularly during the summer season, through measures such as the construction of check dams, restoration of natural water bodies, and provision of artificial water holes. This may reduce wildlife moving into human settlements in search of water. During the summer season, large areas of forest are affected by fires due to various natural and other causes. Such disturbances may force wildlife to move towards safer habitats, including agricultural and human-dominated landscapes. Therefore, effective fire prevention and management measures should be implemented to minimise forest fires and reduce wildlife displacement.

[13] Atula Gupta, 'Giving Elephants the Space They Need, One SMS at a Time' *The Wire* (27 April 2017) <https://thewire.in/environment/elephants-bengal-deaths-kerala-drought> accessed 25 August 2026

[14] 'Kerala govt implements measures to curb human-animal conflict' *Deccan Herald* (26 March 2025) <https://www.deccanherald.com/india/keralam/kerala-govt-implements-measures-to-curb-human-animal-conflict-3463566> accessed 25 August 2026

LEGAL AND POLICY FRAMEWORK

Wildlife (Protection) Act 1972: The Wildlife (Protection) Act 1972 is the foundational legislation for wildlife conservation in India, enacted under Article 252 of the Constitution at the request of eleven States. The Act provides for the protection of wild animals, birds, and plants, establishes protected areas including national parks and wildlife sanctuaries, and prescribes penalties for poaching and illegal wildlife trade.

The main provisions of importance are Section 11(1)(a),[15] which authorises the Chief Wildlife Warden to permit the killing of a wild animal of any specified kind if satisfied that it has become dangerous to human life or property, and Section 11(1)(b),[16] which authorises the killing of an animal disabled or diseased beyond recovery. These are discretionary, reactive provisions that require prior administrative authorisation. In situations of sudden or immediate threat, the procedural requirements of these sections have frequently proven inadequate, leaving affected communities without timely relief.

The Act's Schedule system classifies species by their degree of protection. The reclassification of the Bonnet Macaque from Schedule I to Schedule II under the 2025 Kerala Amendment reflects an effort to align the legal framework with the practical realities of increasing human–wildlife conflict on the ground.

Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006: The Forest Rights Act 2006 (FRA) recognises the rights of forest-dwelling communities. From time immemorial, scheduled Tribes and other traditional forest dwellers have been residing in forest areas, and they have a right to use forest resources for livelihood purposes.[17] While the Act intends to balance forest rights with conservation objectives, its implementation has, in certain instances, created practical difficulties for wildlife management. The presence of human habitation within or adjacent to protected areas legally recognised under the FRA can increase the frequency of human–animal encounters in precisely those zones where wildlife movement is highest, as there is already a coexisting environment between them.

[15] Wildlife (Protection) Act 1972, s 11(1)(a)
[16] *Ibid* s 11(1)(b)
[17] Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006

There is also another angle to this aspect that goes beyond mere administrative difficulty. Tribal and forest-dwelling communities have historically coexisted with wildlife, developing traditional knowledge about animal behaviour and conflict avoidance. The FRA's recognition of community forest rights, if properly implemented, could form the basis for community-based conflict management, an approach that has demonstrated success in several comparative jurisdictions. The challenge is to make sure that, legally and administratively, a framework is designed that upholds forest rights while also enabling the wildlife governance functions necessary to protect both human and animal life.

Wild Life (Protection) (Kerala Amendment) Act 2025: The enactment of the Wild Life (Protection) (Kerala Amendment) Act 2025 represents the most significant state-level legislative intervention in the history of HWC governance in Kerala.[18] The Amendment responds to years of increasing conflict incidents, inadequate administrative response times, and sustained judicial pressure.

The key contributions of the 2025 Amendment are threefold. First, it empowers the Chief Wildlife Warden to issue immediate written orders for the capture, tranquilization, translocation, or, in extreme cases, killing of wild animals that pose a direct threat to human life, based on field reports from District Collectors or senior forest officials; the procedural delay that previously stopped urgent responses is now removed, and it can be more effective. The Amendment prioritises non-lethal and humane methods of capture, tranquilization, and relocation as the primary response mechanism, reflecting the recognition that animals involved in conflict are often reacting due to habitat loss and food scarcity rather than aggression per se. Also, the Amendment expands the scope of intervention beyond protected areas to include villages, farmlands, and public spaces, acknowledging the changed nature of human–wildlife interactions in Kerala.

For certain species such as monkeys, the Amendment permits population management measures including birth control and relocation where ecological or safety concerns arise. It also introduces a power for the State Government to declare certain Schedule II species as vermin for limited periods based on scientific evidence, allowing context-specific responses without permanently reducing conservation protections. The decentralisation of

[18] Wild Life Protection (Kerala Amendment) Act 2025

implementation by involving senior forest officers and local self-governments, including panchayats, acknowledges that effective conflict management requires coordination across governance levels and meaningful community participation.

Critically, stronger measures are only permitted where non-lethal methods have failed, and must be accompanied by recorded reasons, ensuring a degree of transparency and accountability. This also creates a sense of accountability, and this framework then becomes a studied attempt to balance speed of response and also interventions that are humane and also ecologically practical.

JUDICIAL RESPONSES TO HUMAN–WILDLIFE CONFLICTS

T.N. Godavarman Thirumulpad v Union of India (1997): In T.N. Godavarman Thirumulpad v Union of India,[19] the Supreme Court was concerned with the growing loss of forests across India due to different types of projects such as mining, industries, dams, and other developmental activities. While recognising the importance of development, the Court also put this forth into consideration that it cannot come at the cost of environmental destruction. It is observed that a forest is not merely a piece of land covered with trees; it performs very important ecological functions such as conserving biodiversity, regulating water and climate, preventing soil erosion, and supporting wildlife. Therefore, when forest land is diverted for non-forest purposes, society loses these benefits. To address this loss, the Court held that the user agency must pay the Net Present Value (NPV) of the forest, which represents compensation for the ecological services that would otherwise have been available to present and future generations.

The Court also approved the creation of CAMPA, a special authority that would be responsible for managing and utilising these funds for forest regeneration and environmental protection. Rejecting the argument that the money should go directly to the States because forests are located within their territories, the Court held that forests are a national asset. Focusing on the principles of sustainable development and the Public Trust Doctrine, the Court emphasised that natural resources must be protected not only for the present generation but also for those yet to come. Accordingly, the NPV collected is not a

[19] *TN Godavarman Thirumulkpad v Union of India and Ors* (1997) 2 SCC 267

form of revenue for the government but a dedicated fund meant to restore and preserve the country's ecological wealth.

Animal Welfare Board of India v A. Nagaraja & Ors. (2014): In Animal Welfare Board of India v A. Nagaraja,[20] the Supreme Court emphasised that animals are not merely objects for human use or entertainment but living beings capable of experiencing pain, fear, and distress. While the case specifically concerned Jallikattu and bull races, the Court has also laid down broader principles regarding the humane treatment of animals, stressing the duty of both the State and individuals to prevent unnecessary suffering and exploitation. The Court also recognised animal welfare as an important constitutional and statutory concern; the judgment strengthened the normative foundation for considering the interests of animals in situations involving human–animal interactions. Although the case doesn't directly address human–wildlife conflict, its reasoning has wider relevance, as it underscores the need for governance frameworks that balance human interests with the welfare and protection of animals.

Wildlife Rescue and Rehabilitation Centre v Union of India: In this case,[21] arising from interlocutory applications concerning alleged cruelties inflicted on captive elephants in Kerala, the Supreme Court directed the Chief Wildlife Warden to conduct a statewide census of captive elephants and take action against owners lacking the requisite certificates under the WPA. The Court made clear that the State, District Committees, festival organisers, and elephant owners are jointly responsible for preventing cruelty, and that violations could result in prosecution and confiscation.

Dr R.K. Somasekharan v Union of India: In this public interest litigation,[22] an environmental activist and physician approached the Kerala High Court challenging the State's approach to the management of wild boars causing damage to crops. The petitioner sought the creation of a Special Task Force and invoked Section 133 of the Code of Criminal Procedure as a mechanism for dealing with dangerous animals. The Court's engagement with the case resulted in a thorough examination of the provisions of Section 11 of the WPA governing the management of conflict-prone species, and the judgment provides important guidance on

[20] *Animal Welfare Board of India v A Nagaraja & Ors* (2014) 7 SCC 547
[21] *Wildlife Rescue and Rehabilitation Centre and Ors v Union of India and Ors* (2016) WP(C) No 743/2014
[22] *Dr RK Somasekharan v Union of India* (2022) WP(C) No 934/2021

the objective criteria and procedural requirements for authorising action against conflict animals under the existing legislative framework.

Gaurav Tewari v Union of India (Kerala HC, 2022): In Gaurav Tewari v Union of India,[23] a Division Bench of the Kerala High Court comprising Chief Justice S. Manikumar and Justice Shaji P. Chaly examined the implementation of guidelines for addressing human–animal conflict in the State. The petition had been provoked by the widely publicised 2020 incident in which a pregnant elephant died after consuming a pineapple loaded with firecrackers, an event that focused national attention on the vulnerability of wildlife in Kerala's human-dominated landscapes. The Court observed that though proposals had already been introduced to deal with the issue, they were yet to be implemented in practice, and directed that those proposals and planned actions be expedited. The case is an important illustration of the High Court's supervisory jurisdiction over HWC governance, and of the gap between policy formulation and implementation that characterises this field.

Baiju Paul Mathews v State of Kerala (Kerala HC, 2025–2026): The most recent and ongoing litigation in this area is Baiju Paul Mathews v State of Kerala,[24] a batch of writ petitions before a Division Bench comprising Dr Justice A.K. Jayasankaran Nambiar and Justice Jobin Sebastian. The petitions arose from frequent elephant encroachments at the Aralam Farm, a tribal rehabilitation facility on the fringe of the Aralam Wildlife Sanctuary in Kannur district, where more than twenty deaths have been recorded since 2014. The petitioner sought immediate restoration and maintenance of electric fencing, deployment of rapid response squads, relocation of vulnerable families, and measures to drive elephants away from human settlements.

The Court's engagement with the case has been characterised by active scrutiny of State action. In March 2026, the Bench directed the Chief Secretary to submit a comprehensive roadmap for human–wildlife conflict management in Wayanad district and the Aralam area. In March 2026, the Chief Secretary submitted a three-tier strategy that covered physical barriers, behavioural change, and forest habitat improvement, and also addressed tribal welfare and livelihood. The Court noted the State has formally declared that it will be a 'State

[23] *Gaurav Tewari v Union of India* (2022) LiveLaw (Ker) 435
[24] *Baiju Paul Mathews v State of Kerala Represented By The Chief Secretary, Government Secretariat, Thiruvananthapuram* (2025) WP(PIL) No 63/2025

Specific Disaster' in March 2024 and posted the matter for further evaluation of implementation in May 2026. The Court also observed: 'The tree is also as valuable as the animal. We cannot order that trees be cut; we must rethink solutions', an observation that captures the ecological complexity of HWC governance.

Mamta Chourasia v State of Uttarakhand (NGT, 2023): Though arising outside Kerala, the National Green Tribunal's judgment in Mamta Chourasia v State of Uttarakhand.[25] The case brought into focus the indirect dimension of human–wildlife conflict, examining how stone crushing activities causing environmental harm led to animals being injured after falling into unattended ditches. The case demonstrates how unrelated development or illegal activity can disrupt wildlife habitats, push wildlife into human-dominated spaces, and thereby increase the likelihood of conflict.

STATE POLICY RESPONSES AND THEIR LEGAL DIMENSIONS

In addition to legislative reform, the Kerala government has implemented a series of administrative and policy responses to HWC. These include the declaration of HWC as a 'state-specific disaster' in March 2024, which enables the use of State Disaster Response Fund resources and provides a structure for faster compensation and coordinated relief. This declaration has direct legal consequences: it allows the application of disaster management protocols, including emergency powers and expedited procurement, to HWC incidents, and has been cited in ongoing High Court proceedings as evidence of the State's institutional commitment to addressing the issue.

Revised compensation guidelines issued in August 2024 represent a significant improvement in victim relief. Under the revised framework, families of persons killed in wild animal attacks are entitled to compensation of Rs. 10 lakhs, combining State Disaster Response Fund and Forest Department resources. Deaths caused by snakes, bees, or wasps attract Rs. 4 lakhs. The guidelines extend coverage to incidents occurring outside forest boundaries and to individuals engaged in rescue, relief, or preventive activities, a realistic acknowledgement of where conflicts actually occur. The requirement that incidents need to be certified by

[25] *Mamta Chourasia & Ors v State of Uttarakhand* (2023) Original Application No 798/2022

competent authorities also introduces administrative accountability, while potentially it can also create or become a source of more delay.

The 45-day mission launched in August 2024, with multi-pronged mitigation strategies that include habitat management, solar fencing, early warning systems, and community-based interventions, reflects a more comprehensive approach that is more practical and that also understands the nuances. However, experts consistently emphasise that these measures address symptoms rather than the structural drivers of conflict; i.e., they are not focused on the root causes of issues like habitat degradation, unplanned development, and climate change.

CRITICAL ANALYSIS: GAPS AND LIMITATIONS

Lack of a Dedicated Human–Wildlife Conflict Law: One of the weaknesses of the present legal framework is the absence of a separate law specifically dealing with human–wildlife conflict (HWC), either in Kerala or at the national level. The Wildlife (Protection) Act, 1972 (WPA) was originally enacted to promote wildlife conservation, and its provisions relevant to conflict situations, mainly Sections 11 and 12, are not sufficient to address the growing scale and complexity of HWC. Although the amendment in Kerala has focused on aspects that were previously ignored, it still operates within the structure of a conservation statute rather than establishing a comprehensive conflict-management framework. We would need a dedicated HWC law that covers prevention, monitoring, early-warning systems, mitigation measures, emergency response, compensation, rehabilitation, and community participation, which would provide a far more coherent and effective legal mechanism, and not just a law. We also need a proper mechanism for the implementation of the same.

Continuing Conflict between Forest Rights and Wildlife Protection: Another major weakness is the unresolved relationship between the Forest Rights Act, 2006 (FRA), and wildlife governance laws. The recognition of community rights over forest resources and land often intersects with wildlife conservation objectives, particularly in and around protected areas, and then there comes a situation to decide which right to prioritise and when. Also, the two legal regimes do not provide a clear mechanism for balancing these competing interests. Due to this, the conflicts are often managed through administrative

discretion rather than a structured legal process. We require a framework that would be more integrative in nature**.**

Limited Accountability in Cases of Lethal Wildlife Control: The 2025 Amendment also requires authorities to record reasons before adopting stronger measures such as culling or eliminating wild animals. While this is an important safeguard, the accountability framework remains incomplete. There are no independent review mechanisms, mandatory public disclosures, or time-bound reporting requirements to ensure that such powers are exercised appropriately. This can be considered a risk because it might cause the measures that have been introduced for emergencies to be violated, and this can be used routinely. Stronger safeguards, such as compulsory post-incident reviews, periodic public reporting, legislative scrutiny, and independent oversight, would help prevent misuse and ensure transparency, and also make sure that this provision is not violated.

Inadequacies in the Compensation System: The revision of compensation norms in 2024 represents a positive development, particularly the increase in compensation for human deaths to ₹10 lakh. Nevertheless, the compensation framework remains inadequate in several respects. The amounts awarded might not fully reflect the economic impact of death, injury, or loss of livelihood. Furthermore, crop damage, livestock losses, and property destruction, the most common consequences of HWC, continue to be subject to lengthy administrative procedures and delays in disbursement, which causes the competition to be less effective. As a result, it might fail to perform as a proper social security mechanism.

Failure to Integrate Climate Change into HWC Governance: Perhaps the most significant long-term weakness of the current legal framework is its failure to recognise climate change as a key factor driving human–wildlife conflict. In Kerala, changing climatic conditions such as irregular monsoon patterns, prolonged droughts, rising temperatures, and declining forest resources are increasingly forcing wildlife to move outside protected habitats in search of food and water. These ecological pressures contribute directly to the growing frequency and intensity of encounters between humans and wildlife. The issue of climate change as a reason for HWC has not been given sufficient importance.

Different research supports this connection. A 2021 report jointly published by the World Wide Fund for Nature and the United Nations Environment Programme identified climate

change, habitat degradation, and resource scarcity as major factors contributing to rising HWC across the world. Despite this, neither the WPA, the 2025 Kerala Amendment, nor the 2024 compensation guidelines explicitly acknowledge climate change as a factor in conflict assessment, mitigation planning, or allocation of resources. Although broader policy initiatives such as the National Action Plan on Climate Change and the Green India Mission focus on forest conservation and climate adaptation, they do not establish any direct operational link with HWC management. This omission is significant because it results in conflict being addressed primarily through reactive, case-by-case administrative responses rather than through long-term ecological planning, which may solve the issues only in the short term, not the long term.

Going forward, we would need a legal framework that incorporates climate considerations into HWC governance by requiring environmental impact assessments for projects near forests to include conflict-risk evaluations, mandating regular monitoring of wildlife corridors as part of climate adaptation strategies, and allocating a portion of disaster-management funds toward habitat restoration and ecosystem resilience.

CONCLUSION AND RECOMMENDATIONS

Human–animal conflict in Kerala is neither a temporary crisis nor a simple conservation-versus-development dilemma. It is a structural challenge rooted in the intersection of ecological degradation, demographic pressure, unplanned development, and legal and institutional insufficiency.

However, the existing framework has significant limitations. The absence of dedicated HWC legislation, unresolved issues between forest rights and wildlife governance, and inadequate accountability mechanisms for lethal responses all require systematic attention. Building on the judicial and legislative developments surveyed above, the following recommendations are offered.

First, the Central Government should now legislate a dedicated Human–Wildlife Conflict Management Act, establishing a unified national framework that provides for prevention through habitat management and corridor protection, mitigation through community-based early warning systems, a right to compensation for all victims with streamlined processing, independent oversight of lethal action decisions, and mandatory integration of HWC

assessment into environmental impact processes for all development projects affecting wildlife habitats.

Second, the provisions of the Forest Rights Act and the Wildlife (Protection) Act should be harmonised through statutory amendment to create a community-based conflict management mechanism that recognises forest-dwelling communities as partners in conflict management, draws upon traditional ecological knowledge, and provides them with a direct role in the governance of their shared landscapes, and, in the present circumstances, so that it becomes easier to navigate.

Third, compensation amounts should be revised upward to reflect realistic economic loss and should be indexed to inflation. Processing timelines should be reduced, and there should be a maximum time that authorities have to give the compensation or release the same, which would be faster.

Fourth, the precautionary principle, well-established in Indian environmental jurisprudence through the cases discussed in Section V, should be integrated into HWC governance, requiring the State to invest proactively in habitat restoration, corridor maintenance, and conflict prevention, rather than waiting for incidents to occur before intervening, which would actually prevent the whole crisis from happening from the start.

Human–wildlife conflict is ultimately a test of whether a society can protect the rights and livelihoods of its most vulnerable human populations while discharging its obligations to the natural world. In the end, it is about how you can manage both the requirements of the human population and the wildlife to make sure that they exist together harmoniously.