



NATIONAL LEGAL SERVICES AUTHORITY

**NALSA – SCHEME ON
ACCESS TO JUSTICE FOR VICTIMS OF
HUMAN-WILDLIFE CONFLICT (HWC), 2025**





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“Human laws must give recognition and protection to the rights of the Earth.”

- Cormac Cullinan

Wild Law: A Manifesto for Earth Justice (2003)



B. R. GAVAI
CHIEF JUSTICE OF INDIA

August 21, 2025

MESSAGE

The Constitution of India guarantees every citizen the right to life, liberty, and dignity. These rights are not confined to urban or privileged spaces, but extend equally to those living in remote and forest-fringe regions, where human-wildlife conflict is an everyday reality. Such conflict often brings with it deep human suffering, economic loss, and a sense of isolation from justice.

The National Legal Services Authority, under its statutory mandate, has taken a significant step towards bridging this gap. By developing a comprehensive Scheme on Access to Justice for Human-Wildlife Conflict Victims, NALSA affirms that environmental justice is an inseparable part of social justice. This initiative underscores our commitment to protecting lives, livelihoods, and the rights of vulnerable communities, while fostering harmony between human needs and ecological imperatives.

It is my earnest hope that all Legal Services Institutions, together with concerned government departments, will implement this Scheme in letter and spirit, ensuring that justice is not only accessible but also responsive, inclusive, and humane.

(B. R. Gavai)



Surya Kant
Judge, Supreme Court of India
and
Executive Chairman
National Legal Services Authority

MESSAGE

Human-wildlife conflict is a pressing challenge that intertwines environmental conservation, livelihood security, and the fundamental right to justice. For communities living in forest-fringe and wildlife-rich areas, such encounters are not rare accidents but recurring threats to life, dignity, and economic well-being. The conflict not only affects the human-wildlife *inter se* but is also an issue of sustainable development.

Recognising this reality, NALSA has framed this comprehensive Scheme to ensure that no victim of human-wildlife conflict is left without timely and effective legal recourse. The Scheme integrates legal frameworks, policy directives, and departmental protocols into a practical guide for Legal Services Authorities, Panel Lawyers, and Para Legal Volunteers to provide immediate, structured, and empathetic assistance.

Most importantly, the Scheme also underscores the principles of wildlife protection, coexistence, and ecological justice. It seeks not only to secure relief and rehabilitation for human victims but also to ensure that the measures taken align with our constitutional duty to safeguard forests and wildlife, fostering harmony between human needs and ecological balance.

Its release at the South Regional Conference in Thiruvananthapuram marks a milestone—reinforcing our commitment to inter-departmental synergy, awareness-building, and bridging environmental governance with access to justice. I urge all stakeholders to not merely adopt this Scheme but to adapt it to local realities, so that our collective resolve yields tangible relief and lasting solutions for those living on the frontlines of this conflict.


[Surya Kant]



सत्यमेव जयते

राष्ट्रीय विधिक सेवा प्राधिकरण
NATIONAL LEGAL SERVICES AUTHORITY
(Constituted under the Legal Services Authorities Act, 1987)



Preface

भरत पाराशर
BHARAT PARASHAR
(Delhi Higher Judicial Services)
सदस्य सचिव
MEMBER SECRETARY

The preparation of this Scheme arises from an urgent recognition: that victims of human-wildlife conflict endure not only physical and economic loss, but also systemic barriers to justice. These barriers — whether procedural, informational, or logistical — can only be overcome through coordinated, empathetic, and well-informed intervention.

This Scheme is firmly grounded by constitutional mandates — Article 394 (free legal aid), Article 21 (right to life), and Article 48A (duty to protect environment and wildlife) — and the Legal Services Authorities Act, 1987, which entrusts NALSA with ensuring justice to the most vulnerable. It recognizes that victims of human-wildlife conflict fall within the category of disaster-affected persons entitled to free legal aid, and directs Legal Services Institutions across the country to act proactively in protecting their rights.

Importantly, the Scheme is not limited to human relief. It upholds the principles of wildlife protection, coexistence, and ecological justice, affirming that legal interventions for victims must also foster harmony with nature. It draws upon national policies, state-level protocols, and judicial pronouncements that emphasise both prompt compensation for victims and the preservation of wildlife.

As a practical guide, this Scheme provides (i) step-by-step procedures for Legal Services Institutions at the national, state, and district levels to respond swiftly in conflict situations; (ii) mechanisms for outreach and early identification through Para-Legal Volunteers (PLVs) and community-based volunteers; (iii) clear frameworks for inter-agency coordination, integrating legal aid with forest, wildlife, disaster management, and revenue departments; (iv) special safeguards for vulnerable groups — including tribals, women, children, persons with disabilities, and the elderly — ensuring that justice reaches the last mile; and (v) monitoring and capacity-building measures to make legal aid delivery effective, accountable, and adaptive to local realities.

I extend my deep gratitude to Hon'ble Patron-in-Chief, Justice B.R. Gavai, whose guidance and support continue to strengthen NALSA's endeavours. I place on record my special acknowledgment to Hon'ble Executive Chairperson, Justice Surya Kant, whose vision and initiative led to the very conception of this Scheme and whose guidance steered its formulation. I also thank the NALSA Officers who contributed their expertise in shaping this document. It is my earnest hope that this Scheme will not remain confined to paper, but will serve as a living tool — evolving through practice, reflection, and refinement — to protect the rights, dignity, and livelihoods of communities affected by human-wildlife conflict, while advancing the constitutional goal of ecological justice.


(Bharat Parashar)

TABLE OF CONTENTS

S. No.	Particulars	Page No.
Chapter I – Overview		
1.	Background and Objective	01
2.	General Provisions	02
	2.1 Recognition of HWC Victims as Eligible for Free Legal Aid	02
	2.2 Wildlife Protection and Coexistence	02
	2.3 Integration with Government Agencies	02
	2.4 Applicable Legal Frameworks	03
	2.5 State-Specific Policies/Schemes	03
	2.6 Compliance with Judicial Directives	04
	2.7 Public Legal Awareness ("Preventive" Justice)	04
Chapter II – Coordination and Convergence		
3.	Identification & Outreach	04
	3.1 National (NALSA – Apex Level)	04
	3.2 State (SLSA – Coordination Mechanism)	04
	3.3 District (DLSA – Frontline Action)	05
4.	Operational Procedures	07
5.	Special Focus Areas	12
	5.1 Tribal and Forest-Dwelling Communities	12
	5.2 Women Affected by HWC	12
	5.3 Children and Orphans	13
	5.4 Persons with Disabilities (PwD) and the Elderly	13
Chapter III – Capacity Building & Monitoring		
6.	Capacity Building	14
	6.1 Training Programmes for PLVs and Panel Lawyers	14
	6.2 Joint Training with Other Departments	14
	6.3 Resource Materials and Toolkits	14
7.	Monitoring and Cross Learning	15
	7.1 Data Collection at DLSA Level	15
	7.2 Monitoring at SLSA Level	16
	7.3 Monitoring at NALSA Level	16
8.	Miscellaneous	16
	8.1 Integration with NALSA's Disaster Legal Services Framework	16
	8.2 Wildlife Preservation and Ecological Justice	16
	8.3 Provisions for Expenditure	17
	8.4 No New Cause of Action Against Government	17
	8.5 Immediate Orientation and Dissemination	17

Reference Materials

- National Human Wildlife Conflict Mitigation Strategy and Action Plan of India 2021-2026
- MoEFCC Advisory to deal with Human-Wildlife Conflicts Dt. 06.02.2021

NALSA – SCHEME ON ACCESS TO JUSTICE FOR VICTIMS OF HUMAN-WILDLIFE CONFLICT (HWC), 2025 *(Applicable Pan-India)*

To provide a step-by-step framework for Legal Services Institutions (LSIs) – including State/District Legal Services Authorities (SLSAs/DLSAs), panel lawyers, and Para-Legal Volunteers (PLVs) – to ensure timely and effective legal aid, compensation, and support for victims of Human-Wildlife Conflict across India.

This Scheme is applicable nation-wide and can be tailored to state-specific requirements. It aims to bridge the gap in access to justice for HWC victims, integrating legal aid with wildlife, disaster management, and rehabilitation efforts.

CHAPTER I – OVERVIEW

1. Background and Objective

Human-Wildlife Conflict (HWC) – encounters between humans and wild animals that result in negative outcomes for people, wildlife, or both, such as human death, injury, or property/crop loss – has become a pressing issue in India, with thousands of incidents reported in recent years. Such conflicts not only cause tragic human casualties and economic losses but also provoke retaliatory harm to wildlife, thereby undermining conservation efforts. HWC commonly involves species such as elephants, tigers, leopards, wild boar, birds, deers, etc., and often occurs in areas adjoining forests or wildlife habitats.

Victims of HWC often belong to vulnerable rural or tribal communities and face sudden “underserved want” as a result of such incidents. Recognizing this vulnerability, Section 12(e) of the Legal Services Authorities Act, 1987 (LSA Act), includes disaster-affected persons within the eligibility criteria for free legal aid – a category into which HWC victims fall by analogy and policy.

Courts have also affirmed that the State has a duty under Article 21 of the Constitution of India (right to life) to protect citizens from wild animal attacks and to provide prompt compensation when such attacks occur. For instance, the High Courts of Bombay¹ and Kerala² have held that failures to prevent or adequately respond to wildlife attacks constitute violations of fundamental rights, and have called for “prompt compensation” as well as “lasting solutions” beyond ex gratia relief.

Guided by the constitutional mandate of Article 39A (free legal aid) and the provisions of the LSA Act, the National Legal Services Authority (NALSA) and its State and District Legal Services Authorities are committed to ensuring that HWC victims receive timely and effective legal assistance. This Scheme sets out the framework for

¹ *Abeyarathne Raju v. State of Maharashtra*, 2022 SCC OnLine Bom 1873.

² *Sreejithra Sankarappa Suresh v. State of Kerala*, WPC No. 324/07 of 2024 & Civil Remedial Cases Order dated 24.02.2025.

LSI intervention at every stage – from preventive outreach to post-incident aid – to guarantee that every HWC victim can access justice and rehabilitation without delay or hindrance. It details measures for coordination with relevant government agencies (Forest, Wildlife, Revenue, Disaster Management, etc.), establishment of legal aid clinics in affected areas, facilitation of compensation and benefits, legal representation in disputes, and community education to help mitigate future conflicts and promote wildlife protection/coexistence. While the procedures herein are pan-India in scope, they also allow for state-specific adaptation (e.g. referencing local Schemes and policies).

2. General Provisions

These general principles apply across all stages of HWC legal assistance and form the foundation for the specific procedures outlined later:

2.1 Recognition of HWC Victims as Eligible for Free Legal Aid: All HWC victims shall be deemed eligible for free legal services from LSIs under Section 12(e) of the LSA Act, which covers persons in "circumstances of undeserved want", including disaster victims. Anyone affected may approach the nearest legal services authority regardless of income or background. SLSAs/DLSAs must publicize this eligibility in vulnerable areas through camps, panchayat announcements, and other outreach.

2.2 Wildlife Protection and Coexistence: The implementation of this Scheme shall also give due regard to wildlife conservation and ecological balance. All Legal Services Institutions must endeavor that measures taken under the Scheme not only secure justice and relief for human victims but also, wherever possible, safeguard wildlife and promote harmonious human-wildlife coexistence. This directive is in furtherance of the constitutional principle of ecological justice and the State's duty under Article 48A of the Constitution of India to protect and improve the environment and wildlife.

2.3 Integration with Government Agencies: Support for HWC victims requires close coordination between LSIs and government departments handling wildlife and disaster response. SLSAs should liaise with key state agencies – Forest/Wildlife, Revenue, Disaster Management Authorities, Police, and local administration (District Collectors, Panchayati Raj Institutions) – with the Member-Secretary maintaining regular communication with the Principal Chief Conservator of Forests (Wildlife) and the State Disaster Management Authority to develop joint protocols and information-sharing mechanisms. Similarly, DLSA Secretaries in affected districts should collaborate with District Magistrates, Divisional Forest Officers (DFOs), and Block Development Officers (BDOs) to streamline assistance. This approach aligns with the Ministry of Environment, Forest & Climate Change (MoEF&CC) Advisory to deal with Human Wildlife Conflicts (06.02.2021), which urges "expedited inter-departmental coordinated and effective action" by States in preventing and dealing with HWC. LSIs should seek inclusion in State/UTs or District HWC Coordination Committees or formalize cooperation through joint SOPs or MoUs.

2.4 Applicable Legal Frameworks: All interventions under this Scheme shall align with the prevailing wildlife and disaster management laws and policies.

- i. **Legal Services Authorities Act, 1987:** Mandates LSIs under Section 4(b) of the LSA Act to implement Schemes for victims of mass disasters and other vulnerabilities, forming the basis of this Scheme. Section 12 ensures free legal aid for HWC victims.
- ii. **Wildlife (Protection) Act, 1972 (WPA):** The Wildlife (Protection) Act, 1972 strikes a delicate balance between preserving wildlife and protecting human life. On one hand, it empowers the State to conserve wild creatures and their habitats, reflecting a national commitment to environmental stewardship. On the other hand, it provides pragmatic exceptions – through regulated culling (Section 11), vermin declarations (Section 62), and self-defense clauses – to uphold the State's duty towards human safety. Legal Service Institutions and law enforcement play a key role in navigating this balance: they must educate the public about lawful remedies and assist those who face wildlife threats, all while dissuading illegal harm to wildlife. By using the Act's provisions correctly, it is possible to defend human life from dangerous wildlife without undermining India's broader wildlife preservation goals. In sum, the WPA 1972 not only protects wild animals, but also assures citizens that the Law permits necessary defensive action and prioritizes human life when it truly comes under threat.
- iii. **Disaster Management Act, 2005 (DM Act):** Provides the framework for emergency relief and use of the Disaster Response Fund. Some states (e.g., Kerala, Uttar Pradesh) notify serious HWC incidents as "disasters," unlocking State Disaster Response Fund (SDRF) aid. Where so notified, LSIs should ensure victim entitlements under disaster relief norms – e.g. immediate ex-gratis (usually ₹ 4 lakh for death) and inclusion in relief lists. DLSAs should also advocate HWC inclusion in District Disaster Management Plans and participate in disaster coordination meetings during major incidents.
- iv. **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA):** Recognizes land and resource rights of forest-dwelling communities and their role in forest management. In HWC cases, LSIs must ensure community consent and lawful rehabilitation for relocations or mitigation projects, and scrutinize any rights infringements. LSIs can also help communities use FRA powers (e.g., Gram Sabha authority under Section 5 of the Act) for wildlife protection and conflict prevention.

2.5 State-Specific Policies/Schemes: SLSAs should compile state-specific government circulars on HWC, e.g., state wildlife department SOPs, compensation rates, or special relief Schemes. Central Schemes like the Integrated Development of Wildlife Habitats (IDWH) provide funds for ex-gratis payments for human deaths/injuries. Some states extend crop insurance (e.g., PM Fasal Bima Yojana) which covers crop loss by wild animals. LSIs must know these provisions to guide victims in claiming all benefits. (SLSAs may annex a summary of state-specific policies/Schemes to this Scheme for quick reference by DLSAs and panel lawyers.)

- 2.6 Compliance with Judicial Directives:** LSIs must keep a track of HWC-related court orders and ensure their implementation. For example, the Kerala High Court in 2025 directed SLSAs to proactively survey conflict-affected communities and conduct awareness drives on compensation. Such directives should be adopted as best practices nationwide. SLSAs should maintain a knowledge repository of key HWC judgments highlighting the right to life, prompt compensation, and proactive measures.
- 2.7 Public Legal Awareness (“Preventive” Justice):** Access to justice begins with awareness and community engagement. LSIs should regularly organize legal literacy camps and workshops in HWC-prone areas covering: (a) victims’ rights and entitlements (e.g., compensation, insurance, etc.), (b) availability of free legal aid and how to access it, (c) post-incident steps (e.g. informing authorities, preserving evidence for claims), and (d) lawful measures for conflict prevention. These awareness efforts must be in local languages and culturally sensitive, using pamphlets, posters, folk media, or community radio for outreach. In addition, special training camps shall be organized for Para Legal Volunteers (PLVs) on HWC laws, victim assistance, and community sensitization, and LSIs shall maintain a database of their outreach to people and victims in HWC-prone areas for accountability and monitoring. (See Chapter III on Capacity Building for more on awareness materials.)

CHAPTER II – COORDINATION AND CONVERGENCE

3. Identification & Outreach

Strong, proactive outreach and early identification of HWC incidents are crucial for timely legal aid. LSIs must actively monitor and respond rather than wait for victims to approach. Clear responsibilities at national, state, district, and community levels will ensure an early-warning and outreach network that delivers immediate, on-ground assistance.

3.1 National (NALSA – Apex Level):

NALSA shall act as the central coordinator for uniform implementation of this Scheme, with one of the Officer on Special Duty (OSD) designated as the Nodal Officer to oversee HWC-related legal aid nationwide. It will track activities via periodic reports from SLSAs (see Monitoring in Chapter III), identify trends, best practices, and gaps, and liaise with the Union Government (Ministry of Environment, Forest & Climate Change (MoEF&CC), National Disaster Management Authority, etc.) to align efforts with national policies like the National Human-Wildlife Conflict Mitigation Strategy 2021-26, ensuring legal aid is embedded in broader conflict mitigation frameworks.

(Insight: The national strategy emphasizes a “harmonious co-existence” approach and multi-departmental coordination. NALSA’s role is to ensure legal services are integrated into this broader conflict mitigation framework.)

- 3.2 State (SLSA – Coordination Mechanism):** Each SLSA shall establish a State HWC Legal Services Coordination Committee, chaired by its Member Secretary and members from key departments such as Forest/Wildlife (e.g. the Chief Wildlife Warden’s office), Revenue/Disaster Management, Police, Tribal Welfare (in tribal-dominated states), etc. Its tasks include:

- a) Identify Conflict Hotspots:** Use data from the Forest Department (Wildlife Incident Records) and Disaster authorities to map high-incidence areas, prioritizing them for outreach and updating the data annually or after any major spurt in incidents.
- b) Issue Early Warnings to DLSAs:** Develop protocols for forest officials to promptly alert DLSAs of emerging threats or incidents via WhatsApp groups/hotlines, enabling timely legal aid response including evacuation or precautionary measures.
- c) Plan Statewide Outreach:** Incorporate HWC victim support into legal aid outreach programs and partner with other departments for joint awareness drives. SLSAs should direct that legal aid clinics, village legal literacy classes, and gram panchayat legal literacy camps in vulnerable areas include sessions on HWC rights, preventive measures, and available remedies. Coordinate with Forest and Rural Development departments for joint awareness drives – e.g., if the Forest Department runs a “Wildlife Week” or community training on animal safety, legal services can contribute a segment on victim compensation rights and procedures.
- d) Cross-Department Training:** Facilitate joint orientation sessions to ensure all agencies understand legal aid’s role in HWC events (detailed in Chapter III).
- e) State Monitoring:** Review DLSA performance in high-risk districts, address obstacles, and recommend policy changes.

(Note: Many states now have State-level committees on HWC chaired by the Chief Secretary as per MoEF&CC advisories; SLSAs should seek representation on these to inject legal aid perspectives into state HWC planning.)

3.3 District (DLSA – Frontline Action): DLSA is the frontline implementing unit for this Scheme at the local level. In each identified conflict-prone district, DLSA shall:

- a) Appoint a District HWC Nodal Officer:** The Chairperson, DLSA, in coordination with the Secretary, DLSA, shall designate a senior staff member, senior empanelled lawyer, or senior PLV with proven legal aid and community engagement experience as the HWC Nodal Officer for all HWC-related legal aid matters in the district.
- b) Liaison with Key District Authorities:** The Chairperson and Secretary, DLSA, shall:
 - Liaise directly with key district authorities, including the Divisional Forest Officer (DFO), District Collector, and relevant departments;
 - Ensure that the Nodal Officer’s name, designation, and contact details are shared in advance with authorities and community representatives in HWC-prone areas; and
 - Coordinate inter-departmental responses in line with the Scheme.

- c) Maintain Incident Log & Alerts:** Keep a district HWC Incident Register (past and current cases). Establish channels so that incident information reaches the DLSA immediately – through the Forest Department, Police, local government, control rooms, or community PLVs. This could include: coordinating with the district control room or police helpline to notify DLSA on relevant calls, or instructing PLVs to call the DLSA Nodal Officer directly when they hear of an incident. Upon receiving an alert of a conflict incident, the DLSA Nodal Officer shall at once mobilize a legal aid team to respond (see Part 4 for operational steps).
- d) Operate Legal Aid Clinics in Hotspots:** Set up clinics in high-risk HWC areas, preferably in existing community spaces, panchayat offices, or forest department outposts, on fixed days. Where permanent clinics are not viable, arrange regular mobile legal aid van visits. Align clinic days with community gatherings (e.g. weekly markets) for better access. The clinic should provide a forum for villagers to report any conflicts, seek advice on compensation and legal rights, and for PLVs to conduct awareness.
- e) Taluk/Block Level Extension:** Utilize Taluk Legal Services Committees (TLCs) and block-level functionaries to maintain close contact with Gram Panchayats and Forest Beat Officers. First alerts often arise at this level; these committees can respond faster on-site while notifying the DLSA. Establish a clear protocol for PLVs or any local official to notify the DLSA (for instance, a dedicated 24x7 Helpline number of the DLSA or the state legal aid toll-free number) in case of an incident. Every PLV should have the DLSA contact and likewise, forest guards/wildlife guards/panchayat officers should have the legal aid contact. DLSAs may circulate pocket-cards with emergency numbers for this purpose.
- f) Mobilize Community-Level PLVs:** PLVs are an indispensable grassroots component for outreach and early victim identification.
- **Targeted PLV Deployment:** To strengthen ground-level response, PLVs should be selected from within or in close proximity to HWC-prone communities, with preference given to cause-spirited villagers and respected locals such as teachers, social workers, members of Eco-Development Committees (EDCs), Joint Forest Management Committees (JFMCs), and retired forest guards or wildlife department officials, whose field experience and community credibility can significantly enhance outreach. These selected individuals shall be trained on HWC-specific issues and legal procedures (see Chapter III), formally designated as “HWC PLVs,” and deployed to periodically visit each hamlet — particularly those adjoining forest areas — to build rapport with residents and ensure that affected persons know whom to approach for legal assistance in the aftermath of any conflict incident.
 - **Proactive Incident Reporting:** Require PLVs to immediately report all incidents and potential simmering issues (e.g. rising community unrest or plans for retaliation) to DLSAs.
 - **Community Education & Confidence-Building:** During their regular visits, PLVs should educate villagers on what to do in case of an HWC incident (like informing the forest department/RRT immediately, not destroying evidence like carcasses which might be needed for claims, etc.), legal rights, compensation, and the right to free legal aid. PLVs can

distribute local-language pamphlets with procedures and emergency contact numbers.

- **Local Intelligence Gathering:** PLVs should share on-ground developments with DLSA (e.g. wildlife movements, unpaid compensation cases) and convey community suggestions for conflict mitigation (solar fencing, crop pattern changes, etc.) to appropriate authorities via the DLSA.

Coordination Example: *In practice, the identification and outreach network may work as follows:* A State Committee identifies Village X as an elephant conflict hotspot. A PLV is assigned to Village X and visits weekly, conducting awareness meetings. One night an elephant injures a villager in X – the PLV contacts the DLSA Nodal Officer via the 24x7 line. The DLSA had already been alerted that week by the Forest Ranger (through the SLSA's WhatsApp alert group) that a herd was nearby. The DLSA's mobile clinic van, which was scheduled for a visit, is immediately diverted to Village X with a panel lawyer on board. Thus, within hours of the incident, a legal aid team is on site assisting the victim's family with the procedures while the forest RRT manages the animal – a seamless, prepared response.

Best Practice: Katihora (Chhattisgarh) – A multi-pronged strategy involving the SAJAG Alert System (SMS/IVRS pre-warning), culturally resonant outreach (Kala Jathha folk campaigns), trained community volunteers (Hathi Mitras), and promotion of elephant-safe livelihoods (Kodo millet, forest-based value chains) has led to zero elephant fatalities in 24 months, significant reduction in crop damage, and strengthened coexistence.

4. Operational Procedures

This part sets out the step-by-step procedures for providing legal assistance to HWC victims from incident to final resolution. LSIs at all levels shall deliver these services promptly and empathetically. Upon receiving information on an HWC incident, the DLSA/TLSC shall deploy a PLV or a Panel Lawyer to the affected area as needed.

Step-by-Step Response to an HWC Incident

When an HWC incident occurs (such as an animal attack causing injury or death, or significant crop/property damage), LSIs must spring into action immediately. The following standard operating procedures outline key actions and responsibilities from initial response to case closure. While flexibility may be needed in complex cases, DLSAs should use these steps as a checklist to ensure no critical actions are overlooked.

Step 1: Incident Alert (Activation)

Action: Receive and Verify Information

Description/LSI Task:

- On report of an HWC incident (via PLV, police, forest official, media, etc.), the DLSA Nodal Officer (senior staff member, senior empanelled lawyer, or senior PLV) verifies key facts – what happened, location, victim's condition – and triggers the response.

- ii. The Nodal Officer shall inform the relevant authorities if not already aware (e.g. call the Range Forest Officer for wildlife rescue, police for assistance).
- iii. Parallelly, the Nodal Officer alerts a pre-designated **Legal Aid Response Team** (a panel lawyer and PLV, preferably local). If multiple incidents occur simultaneously (e.g. elephant herd rampage in several villages), deploy separate teams and, if required, request extra support from SLSA.

Step 2: On-Site Assistance (Immediate Legal Aid)

Action: Attend to Victim and Family

Description/LSI Task:

- i. Panel lawyer with local PLV reaches the site or hospital promptly, carrying required forms (compensation claims, FIR format, etc.).
- ii. **Immediate tasks:** Reassure and inform the victim/family about free legal aid, and assess urgent needs. Arrange medical care or ambulance if needed and in case of death, assist the family with inquest/post-mortem ensuring police records reflect the wildlife cause (crucial for claims).
- iii. Advise the victim/family on their rights (compensation, insurance, etc.) and the steps ahead.
- iv. If needed, ensure immediate ex-gratia relief, where state policies allow a part of the compensation (for death or serious injury) to be released within 24–48 hours for funeral or treatment expenses. The DLSA should coordinate with the Sub-Divisional Magistrate/Tehsildar to sanction this on humanitarian grounds without delay.

Step 3: Documentation & FIR (Preparing the Claim)

Action: Gather Evidence & Lodge Required Reports

Description/LSI Task:

- i. Inform the victim/family of applicable compensation Schemes and amounts in their state (including combined relief under central, state, and disaster funds where relevant; clarify special norms like snakebite cases).
- ii. The legal aid team helps gather all necessary documents for the compensation claim and legal processes.
- iii. **Key Actions:**
 - a) Assist in lodging FIR/official report with police or forest authorities; ensure details (species, circumstances) are accurately recorded.
 - b) Obtain medical/post-mortem reports and ensure that the cause of injury/death is attributed to a wildlife attack in these records.
 - c) Collect supporting evidence – photos of the injuries or damage and relevant documents (ID, land records for crop loss, veterinary certificates for livestock killed, etc.).
 - d) Identify any witnesses to the incident, as their statements may be needed.
 - e) Panel Lawyer/PLV to complete the standard Compensation Application Form (usually provided by the forest or revenue department), explaining it to the victim and helping gather required enclosures.

Goal: Aim to prepare a full claim packet within 1–2 days of the incident.

Step 4: Claim Submission (Initiating Relief Process)**Action:** File Compensation Claim & Acknowledge**Description/LSI Task:**

- The DLSA lawyer or PLV shall submit the compensation claim to the designated authority (Divisional Forest Officer, Range Officer, Tehsildar, or Wildlife Warden, as per state rules).
- Preferably accompany the victim/family when filing; otherwise, file on their behalf with proper authorization (e.g. a vakalatnama or letter of authority if required).
- Obtain a dated acknowledgement to confirm timely submission (important for meeting Scheme deadlines).
- Assist the victim in applying for any other immediate relief (interim compensation, relief kit, etc.).

Step 5: Follow-up & Liaison (Tracking the Claim)**Action:** Pursue Timely Processing**Description/LSI Task:**

- DLSA must actively track claim progress with Forest/Revenue officials and promptly assist the victim if any additional documents or verification is needed.
- The DLSA must ensure adherence to the state-prescribed timelines for disbursement (usually 30–60 days). In case of delay, it shall send formal reminders or legal notices and coordinate meetings with the Divisional Forest Officer (DFO) and the District Collector to escalate the issue.
- For death or grievous injury, ensure ex-gratia relief (e.g. ₹50,000 for immediate needs) is disbursed within 48 hours as per policy. If not, intervene with the district authorities to release it.

Step 6: Dispute Resolution (Appeals, ADR or Litigation)**Action:** Address Rejections or Inadequate Relief**Description/LSI Task:**

- If a compensation claim is rejected or the amount is insufficient, the legal aid lawyer assists the victim in filing a claim case, an appeal or review, citing facts and legal grounds (e.g., justified delay in reporting).
- Where available, use state-level appellate committees for HWC claims. If appeals fail or are unavailable, escalate to SLA/HCLSC and consider filing writ petitions in the High Court.
- Alternative Dispute Resolution (ADR):** Pursue ADR for quicker outcome.
 - Refer cases to special Lok Adalats involving wildlife officials, insurers, and victims to negotiate a fair compensation.
 - Utilize Permanent Lok Adalats if relevant (e.g., delays in payment could be treated as a service deficiency).
 - For conflicts involving multiple victims or community-wide issues (like widespread crop damage), encourage community mediation.
 - Criminal Matters:** Assign Legal Aid Defense Counsel (LADC) to HWC-affected persons accused under the Wildlife (Protection) Act or related laws, invoking legal exceptions like self-defense to defend the accused. Support

victims/witnesses in prosecution and assist victims/families during magisterial inquiries to ensure accurate representation for compensation claims.

- c) **Civil Litigation for Damages:** Though rare, provide legal aid to victims seeking to sue for negligence causing HWC harm. For instance, if an elephant corridor lacked warning systems or protective measures were neglected by authorities, resulting in an incident.

Step 7: Holistic Rehabilitation (Beyond Compensation)

Action: Facilitate Other Reliefs & Preventive Measures

Description/LSI Task:

- i. Legal aid to HWC victims must extend beyond compensation to holistic rehabilitation. After initiating claims, DLSA/PLVs should coordinate with District Social Welfare Officers to help victims access other welfare Schemes – disability certificate & pensions, widow pension, orphan scholarships and reservations, succession/inheritance support, and insurance claims.
- ii. Address psychological trauma by referring victims (especially children and witness of attacks) to counselling or trauma care services. Regular follow-up by PLVs is encouraged.
- iii. **Preventive Legal Action:** For areas with repeated conflict (e.g., rogue elephants or man-eaters), LSIs may file PILs or formal representations demanding stronger preventive measures (e.g., fencing, rapid response teams, enhanced compensation). While wildlife management is the domain of the Forest Department, LSIs must safeguard community rights and push for preventive action.

Step 8: Case Closure (Resolution & Record)

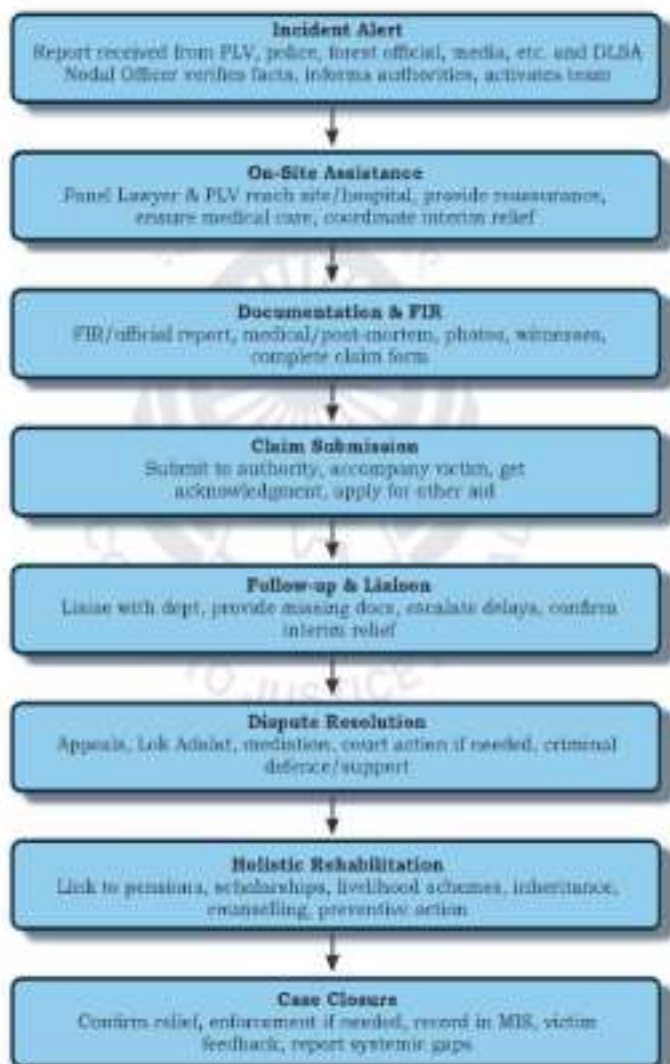
Action: Ensure Deliverables & Record Outcomes

Description/LSI Task:

- i. Close the case once the victim receives entitled compensation and legal matters are resolved or actively represented. The panel lawyer/PLV shall verify the compensation amount and rightful receipt (e.g., direct transfer to the victim's bank account).
- ii. Check if further legal assistance is needed, such as enforcement of Lok Adalat awards.
- iii. Record case details in the DLSA's HWC register or MIS (incident date, victim name, aid provided, outcome) for monitoring purposes.
- iv. Collect feedback from the victim/family to improve services. Report systemic issues (e.g., officer delays, policy gaps) to SLSA for higher-level advocacy. Treat each case as a learning opportunity to enhance Scheme implementation.

HWC Detailed Workflow

This diagram illustrates the step-by-step operational procedure for Legal Services Institutions (LSIs) handling Human-Wildlife Conflict (HWC) cases, from incident reporting to case closure.



5. Special Focus Areas

While every victim of human-wildlife conflict (HWC) requires support, certain vulnerable groups face unique challenges that demand tailored legal aid responses. LSIs must be sensitive to these groups and adapt their outreach and services accordingly.

5.1 Tribal and Forest-Dwelling Communities

Indigenous communities and traditional forest dwellers often live closest to wildlife habitats, thus suffering disproportionately from HWC. At the same time, they are historically recognised as custodians of forests and wildlife, and are emotionally attached to wildlife as part of their culture and identity. They hold protected forest rights and maintain deep cultural and spiritual ties with the environment. LSIs should take the following special measures to safeguard them:

- i. **Ensuring Access:** Recruit PLVs from within tribal communities to reduce language and cultural barriers, enabling them to serve as first responders and translators. Use local dialects and audio-visual materials to conduct outreach, especially where literacy is low. Collaborate with Tribal Welfare Departments for translation and outreach support.
- ii. **Respecting Custom:** Understand and respect traditional tribal conflict-resolution methods and rituals post-incident. PLVs may observe or participate in tribal community meetings, ensuring formal legal claims follow. Approach conflict discussions with sensitivity by avoiding harsh language against revered animals like elephants or tigers and focus instead on safety and rights.
- iii. **Educating on Forest Rights:** Under the Forest Rights Act (FRA) 2006, tribal Gram Sabhas have forest management and wildlife protection roles. LSIs should empower communities to use FRA provisions for mitigation efforts such as community patrols or early warning systems. If conflict mitigation measures impinge on tribal land (e.g., creating a national park or relocation), LSIs must ensure legal safeguards like informed consent, fair rehabilitation, and alternatives, actively opposing forced displacement or access denial without due process.
- iv. **Monitoring Equity:** Tribal victims are often underreported or undercompensated due to a lack of awareness. LSAs should analyze data to identify gaps in reporting and compensation. If underreporting exists, intensify targeted legal aid camps in tribal areas.

5.2 Women Affected by HWC

Women in rural areas face distinct risks and impacts in HWC scenarios, both as direct victims and as family members affected by loss. A holistic approach for women includes:

- i. **Gender-Sensitive Outreach:** Prioritize women PLVs or panel lawyers to assist female victims, recognizing cultural sensitivities and enabling open discussion on personal and financial matters. Ensure training for all panel lawyers and PLVs covers gender sensitivity to appreciate the social pressures that women or widows' victims may face.

- ii. **Compensation to Rightful Hands:** Compensation often ends up controlled by male relatives, leaving widows or daughters without meaningful benefit. Legal aid lawyers/PLVs must ensure that compensation is sanctioned in the name of the primary affected woman (e.g., widow or injured female), and assist with opening a bank account and guiding her on how to operate it. They should also help obtain legal documents such as succession certificates where required and provide mediation or legal counsel in family disputes to protect the woman's rightful access to compensation.
- iii. **Livelihood Support and Rehabilitation:** Coordinate with government and NGOs offering skill development, self-help groups, or seed funding for women's livelihoods. Leverage disaster victim grants for women or widow pensions. Follow up regularly to ensure women do not fall into destitution after spending the initial compensation.

5.3 Children and Orphans

Children, as direct victims or dependents of victims, require special protection:

- i. **Safeguarding Compensation:** Funds payable to minors should be secured in protected accounts or fixed deposits until adulthood. DLISA should assist the surviving parent/guardian in opening such accounts and obtaining court orders under the Guardians and Wards Act to manage the funds, if needed.
- ii. **Orphan Care:** Coordinate with Child Welfare Committee (CWC) under the Juvenile Justice Act, 2015, to secure proper guardianship or institutional/foster care. Help obtain any compensation for the orphan, including additional ex gratia. Assist extended family in adoption or guardianship procedures.
- iii. **Education and Scholarships:** Inform and assist families to apply for scholarships or educational aid for child victims. Liaise with Education Departments to secure fee waivers, free textbooks, and ensure uninterrupted schooling.
- iv. **Psychological Support:** Children may experience trauma and post-traumatic stress after HWC incidents. While professional counseling should be arranged by health authorities, PLVs or DLISA's counsellor can monitor children's wellbeing, flag concerns, and advocate for trauma counseling programs or special camps for affected children.
- v. **Identity Documents:** Assist in obtaining identity documents (birth certificates, Aadhaar, bank accounts) to ensure children can access benefits and legal protections.

5.4 Persons with Disabilities (PwD) and the Elderly

Though not a distinct category in HWC policies, special attention must be given to individuals who are already vulnerable due to age or disability, including those who acquire disabilities as a result of the human-wildlife conflict.

- i. **Disability Support:** Victims suffering permanent disabilities (e.g., amputation, blindness) due to an animal attack qualify not only for wildlife compensation but also other benefits for disabled persons. LSIs should facilitate evaluations by the District Medical Board to obtain disability certificates unlocking pensions, additional compensation (₹2-5 lakh in

some States], and reservations in jobs and education. Link victims with NGOs that provide prosthetics and rehabilitation.

- ii. **Elderly Accessibility:** Ensure the process is accessible. PLVs might need to visit them at home since travel is hard for them. Use large-print forms or read out documents to them. In cases where an elderly person's primary caretaker died in an incident, prioritize him/her as a key beneficiary and help them access senior citizen social security Schemes. Ensure compensation is structured to provide sustainable income, e.g., fixed deposits generating monthly interest.

Ensure multi-victim incidents do not marginalize children, women, disabled, or elderly individuals. LSIs must advocate for equitable attention to all victims, especially those less able to speak for themselves. Focusing on these groups aligns LSIs with the principle of "justice reaching the last mile", ensuring that the most vulnerable receive equitable support. SLSAs should periodically analyse data and adapt outreach (such as women-led camps in tribal areas) to fill identified gaps.

CHAPTER III: CAPACITY BUILDING & MONITORING

6. Capacity Building

Legal aid providers require specialized skills and knowledge to effectively handle HWC cases. Continuous training and sensitization will equip PLVs, panel lawyers, and LSI officials to handle these challenges. Key capacity-building measures are as follows:

6.1 *Training Programmes for PLVs and Panel Lawyers:* SLSAs shall develop targeted training programmes on HWC for PLVs and Panel Lawyers, covering:

- Basic wildlife conservation and animal behavior to understand conflict causes,
- Relevant laws (Wildlife Protection Act, Forest Rights Act, Disaster Management Act), compensation Schemes, and administrative procedures.
- Role-play and simulations including claim form filling, victim counseling, and mock dispute resolution.
- For panel lawyers, conduct workshops on important case laws, litigation strategies, and interdisciplinary knowledge involving forest officers and psychologists.

6.2 *Joint Training with Other Departments:* SLSAs should conduct interdisciplinary sensitization workshops including Forest Department officials, Police, Disaster response officials, and legal aid teams to promote mutual understanding. This improves cooperation, clarifies procedural needs, and ensures coordinated responses during incidents.

6.3 *Resource Materials and Toolkits:* SLSAs to develop and disseminate easy-to-use reference materials for those in the field:

- **HWC Legal Aid Handbook:** An HWC Legal Aid Handbook containing simplified explanations of relevant laws, stepwise compensation procedures, contact directories (forest officers, insurance, etc.), FAQs, and

template forms.

- **Quick Reference Charts/Posters:** Quick Reference Charts/Posters showing “Compensation amounts for various losses in [State Name]” and “Departments responsible for each type of claim” can be displayed in legal aid clinics and provided to PLVs as a pocket guide. Similarly, a flowchart guiding on the process from incident to compensation can be displayed in panchayat offices.
- **Training Videos/Online Modules:** Create short videos in local languages demonstrating tasks like how to fill a claim form, how to counsel a victim, or a dramatised example of a Lok Adalat for HWC. These materials should be scenario-based for practical learning.
- **IEC (Information, Education, Communication) for Communities:** Pictorial posters or handouts on what to do when an elephant or other wildlife is sighted, emergency helplines, and victims’ rights. Local radio stations may also be engaged to broadcast short awareness jingles or interviews in regional dialects for wider reach.
- **Continuous Learning and Feedback:** Hold internal debriefings post-major incidents to identify challenges and successes; encourage PLVs and lawyers to submit regular feedback; analyze monitoring data to spot bottlenecks and replicate best practices.
- **Academic Collaboration:** Partner with law and social work institutions for research, internships, and clinical legal education focusing on HWC issues.
- **Periodical Refreshers:** Regularly update panel lawyers/PLVs on law and policy changes through workshops, newsletters, or messaging platforms.

These efforts enhance legal aid quality, build credibility with other agencies, and improve outcomes for victims.

7. Monitoring and Cross Learning

To ensure this Scheme effectively supports HWC victims and improves over time, a robust monitoring and reporting system is required. LSIs should systematically collect, analyze, and share data on HWC legal aid cases, maintaining transparency and enabling continuous learning. The following framework shall be implemented:

7.1 Data Collection at DLISA Level: Each DLISA shall maintain a dedicated register or digital database recording all HWC cases assisted. For every incident or case, the following minimum data should be documented:

- a) Date and precise location of incident (with geo-tagging if possible);
- b) Nature of the incident – including human death, injury, livestock loss, crop damage, property damage and species involved;
- c) Victim details – name, age, gender, socio-economic status, with due regard to privacy;
- d) Actions taken by LSI – e.g. legal advice given on date X, claim form submitted on date Y, assisted in FIR, Lok Adalat on Z;
- e) Outcome – compensation amount sanctioned and date paid, any legal case filed (with case numbers), and current status if pending;
- f) Notable issues or best practices – e.g. “Claim initially rejected due to late reporting, DLISA intervened and got it accepted”.

This structured data will enable effective case tracking, timely interventions,

and identification of procedural bottlenecks. DLSA should update it in real-time or at least weekly. The DLSA Nodal Officer for HWC will be responsible for data accuracy and integrity.

7.2 Monitoring at SLSA Level: State Legal Services Authorities (SLSAs) shall compile district-level information into a quarterly state report titled "Access to Justice for HWC Victims." This may be issued as a standalone report or integrated into existing NALSA quarterly reporting formats. Each report should include:

- a) Statistical Overview:** Number of HWC incidents reported in the State against the number of victims assisted by LSIs, types of services rendered (claims filed, court representation, ADR, etc.), and success indicators such as percentage of claims compensated and average time taken to receive relief.
- b) Emerging Trends:** Identification of geographic hotspots or seasonal patterns where legal aid needs strengthening.
- c) Challenges Faced:** Operational hurdles such as delays in inter-departmental coordination or exhaustion of state compensation funds.
- d) Best Practices and Innovations:** Exemplary initiatives such as dedicated Lok Adalats, rapid-response mobile legal aid units, or technology-based interventions.
- e) Capacity-Building and Awareness Activities:** Number of trainings, outreach sessions, PLVs oriented, and communities sensitised.
- f) Performance Evaluation:** A review of district and LSI performance against defined indicators (e.g., timeliness of claim filing, follow-up rigour, success rate, responsiveness), with recommendations for course correction wherever required.

These quarterly reports shall be used for internal performance assessment and external accountability. NALSA to prescribe a standardized reporting format to ensure uniform data collation and comparison across States.

7.3 Monitoring at NALSA Level: NALSA will review quarterly SLSA reports to assess overall implementation, provide feedback, and issue necessary directives or guidance to enhance the Scheme's effectiveness nationwide.

8. Miscellaneous

8.1 Integration with NALSA's Disaster Legal Services Framework

This Scheme complements existing NALSA protocols for legal aid in disasters [e.g., the Scheme for Legal Services to Disaster Victims, 2010]. This Scheme is complementary and supplementary to NALSA's Scheme for Legal Services to Disaster Victims, 2010, and shall be implemented harmoniously with that scheme. Given overlaps between human-wildlife conflict assistance and general disaster relief, this Scheme should be read in consonance with all disaster legal aid initiatives.

8.2 Wildlife Preservation and Ecological Justice

The execution of this Scheme shall be in line with the principle of ecological justice, ensuring that efforts to assist victims are undertaken in a manner that

supports wildlife preservation. This approach is intended to foster harmony between human and wildlife interests, consistent with the spirit of Article 48A of the Constitution of India which mandates the State to protect and improve the environment and to safeguard wildlife also. This environmental emphasis aligns the Scheme with the nation's wildlife protection mandates and the duty of the State to safeguard forests and wildlife as enshrined in the Constitution.

8.3 Provisions for Expenditure

All expenditures to be incurred for implementing this Scheme shall be borne from the grants-in-aid funds after the approval of the Hon'ble Executive Chairperson of the concerned SLISA.

8.4 No New Cause of Action Against Government

This Scheme is intended to streamline internal LSI functioning and improve service delivery. It should not be understood as creating any new legal rights or claims against the government beyond those provided by existing laws and policies.

8.5 Immediate Orientation and Dissemination

SLSAs and DLISAs must take prompt steps to operationalize their directives. Within the first few weeks, SLSAs should organize an orientation session for DLISA Secretaries to brief them on the Scheme. Each DLISA should then brief their panel lawyers and PLVs. Wide publicity should accompany the roll-out: make public announcements that legal services for HWC victims are now strengthened. This could include press releases, social media posts by SLSAs, and distributing pamphlets in HWC-prone villages about the availability of free legal aid for conflict victims.

Note:



Note:



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NALSA's Framework of Schemes, SOPs, Guidelines & Publications

Schemes

1. Scheme for Para-Legal Volunteers
2. NALSA (Legal Services to Disaster Victims through Legal Services Authorities) Scheme, 2010
3. NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015
4. NALSA (Legal Services to the Workers in the Unorganised Sector) Scheme, 2015
5. NALSA (Effective Implementation of Poverty Alleviation Schemes) Scheme, 2015
6. NALSA (Legal Services to Senior Citizens) Scheme, 2016
7. NALSA (Legal Services to Victims of Acid Attacks) Scheme, 2016
8. NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes, 2018
9. NALSA (Child-Friendly Legal Services for Children) Scheme, 2024
10. NALSA (Legal Services to Persons with Mental Illness and Persons with Intellectual Disabilities) Scheme, 2024
11. NALSA (SAMVAD - Strengthening Access to Justice for Marginalized, Vulnerable Adivasis and Denotified/Nomadic Tribes) Scheme, 2025
12. NALSA (DAWN - Drug Awareness and Wellness Navigation - For a Drug Free India) Scheme, 2025
13. NALSA (JAGRITI - Justice Awareness for Grassroots Information and Transparency Initiative) Scheme, 2025
14. NALSA Veer Parivar Sahayata Yojana, 2025
15. NALSA (SPRUHA-Supporting Potential and Resilience of the Unseen, Held-back and Affected) SCHEME, 2025

SOP/Guidelines

1. SOP-Ensuring Access to Justice for Widows Living in Shelter Homes
2. NALSA (ASHA - Awareness, Support, Help and Action) Standard Operating Procedure - Towards Eliminating Child Marriage, 2025

Handbooks and Publications

1. Handbook of Formats: Ensuring Effective Legal Services
2. Handbook on POSH Act 'Speak Up' (English), 'Awaaz Uthao' (Hindi)
3. Nari Ki Udaan
4. Green Verdicts: A Comprehensive Digest of Recent Environmental Law Cases
5. Compendium on Human-Wildlife Conflict: National & State-Level Schemes, Guidelines, Circulars, Advisories, Directives, Judicial Pronouncements and Policy Frameworks



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