

A Socio- Legal Analysis of the Forestry and Wildlife Offences with Special Reference to North Bengal Region

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Abstract

Environmental criminal activities pose a grave peril not only to our present life but to our future as well. Unfortunately, national borders do not restrict environmental crimes such as forestry and wildlife offences. These crimes often occur hand to hand with other types of offences. Unlike any other crimes, green crimes pose a threat to human existence. Thus it's high time to safeguard the florals and faunas of our nation. The forest areas of North Bengal are not only a blessing of nature but also a dwelling place for numerous exotic species. A considerable amount of forest cover is situated under the demography of North Bengal. However, this heaven is not secure anymore. Due to its crucial position, this area has become a transit point of trans-boundary crimes and trafficking. Despite strict vigil and numerous legislations, it is becoming difficult to counter such diverse crimes.

Through this following piece of work, the author has thus attempted to accentuate the forestry and wildlife crimes that are transpiring right now in this region along with their causes and reasons. The paper also has tried to touch the grey areas of this aspect to understand the contemporary scenario of this region. To discover the above-stated reasons the researcher has taken reference from various primary and secondary data. Finally, the researcher has also endeavored to furnish acuties to constrain the ongoing menace and prevent the circumstances of the forest areas of North Bengal.

Keynotes: *Wildlife Crimes, Organized Crime, Trafficking, Environment, Reserve Forests, Poachers*

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I. Introduction

At present, the issue of climate change and the destruction of the environment are two of the most discussed topics around the world as almost everyone right now is aware of its consequences. The result of excessive tree felling and hunting of wild exotic animals are extensively accentuated by the international communities. Worse is yet to come if this alarming trend goes on feared by many experts. Within a couple of years, many extinct and endangered species will disappear from the Earth permanently and meet the same fate as Dodo birds. So it is not unimaginable that the future generation will have to admire these species only from captive enclosures or even worse, from image books. The technological innovations in the modern era have also contributed to a large amount of forest and wildlife item trade. This is mainly due to a change of perception. Thus in the twenty-first century, rare and exotic forest products and animals have turned into commodities and items of show pieces.²

Environmental crimes always increase the fragility of our planet resulting loss of future generations' health, well-being, and wealth on an exceptional scale. It also compromises the ability to accomplish the desired sustainable development goals. The UN Security Council has recently acknowledged the grave threat to world security due to increasing environmental crimes. The nature of environmental crimes is not limited only to wildlife or wood-based crimes but right now they have become portion of the more comprehensive global network of transnational organized criminal stirs.

The report of INTERPOL suggests that the illegal wildlife trade is estimated at 7- 23 billion USD per year. Side by side the forestry crimes that comprise illegal logging account for almost 51-152 billion USD annually.³ In addition to this, the dynamics of classical blue-collar crimes are also rapidly changing. Due to the involvement of transnational organized criminal belt, the criminals are also shifting their priority from narcotics, human trafficking, and ammunition to new

² Daan.P.Van Uhm. *The Illegal Wildlife Trade: Inside the World of Poachers Smugglers and Traders*. 16 (1st edition,2016).

³ See the report *The Rise of Environmental Crime :A Growing threat to Natural Resources, Peace, Development and Security*. A UNEP INTERPOL RAPID RESPONSE ASSESSMENT 8. (2016).

opportunities- forest products, exotic timber, wood, wildlife such as pangolins, tiger skins, rhino horns, etc.

To counter this crisis many throughout the world have anointed for specifying o any infringement of forest and wildlife laws to be categorized as "Serious crimes". Criminals are manipulating the limitations of international consensus due to divergent strategies are taken by the countries.⁴ What may be termed a grave crime in one country may not be in another. These limitations actively help the criminal belts to utilize one country for poaching and another country to produce merchandise and export through another transit country.

India is blessed with natural resources. In Ancient Indian culture protection of the environment was dealt with profound concern. Since that time trees and animals are associated with different deities thus they are still in majority of the parts of this country are worshiped and protected. Killing any innocent creature was considered a sin in ancient India. Much important Indian sacred literature has left mandates to protect and preserve wildlife.⁵ At present there are several national parks situated in this country that are the center of attraction for tourists from all over the world. This region is a bio-diverse country containing almost 6.5 % of the wild species of the world. ⁶The Indian constitution mandates not only the state but the citizens as well for the protection of the environment and wildlife.⁷ However, in reality, it has been alleged that despite multiple enacted legislations, the states are encountering real difficulties to impede forestry and wildlife offences. The allegations of crime against wildlife and forests are not new in the province of North Bengal. The geographic position of this region and the aesthetic natural magnificence is also one of the crucial factors that the author will try to accentuate in this research paper with additional important aspects.

⁴ *Id.* at 25.

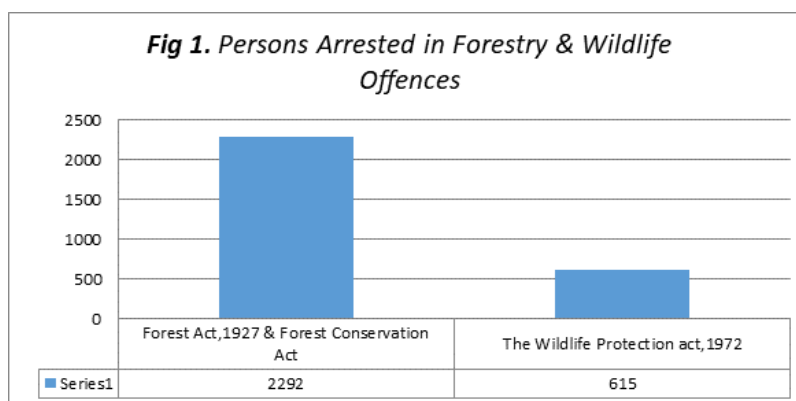
⁵ Dr.Param S.Jaswal. et al.,*Envionmental Law 4* (4th edition,2015).

⁶ *India: Our endangered wildlife - a cause for concern.* UNITED NATION OFFICE OF DRUGS AND CRIMES.,<https://www.unodc.org/southasia/frontpage/2012/june/our-endangered-wildlife-a-cause-for-concern.html>. (Last Visited :15th Jan 2023. 5.30 PM).

⁷ See India const. art. 51 (A)(g) and 48- A .

II. Matter of Concern for Indian Forest Provinces

Multiple endangered species in the forest areas of India are the prime target of poachers from all over the country. Illegal wildlife trade in India mainly deals with Leopard skins, turtle shells, Elephant tusks, Rhino horns, Tiger bones, Whiskers, parakeets, munias, mynas, etc all meant for the global illegal trade market and has no active demand in the domestic market.⁸ India is one of the largest importers of illegally logged timber in the world only behind China and Vietnam. **The Wildlife (Protection) Act, of 1972** along with **The Forest Act, 1927** and **The Forest Conservation Act,1980** prohibits the illegal trading of almost 1800 species including wildlife and plants, and their articles. At present majorly these strong legal frameworks are providing protection to the forests and wildlife of India. However, despite having these legislations, difficulty is occurring in its execution part. The data provided by the *National Crime Records Bureau* Latest report of 2021 is really worrisome. The **Figure 1** below enumerates the number of arrested persons who apprehended by the authorities for forestry and wildlife crimes within just a year in India through the above mentioned legislations.



Source: *Crime in India, 2021, Volume II.*⁹

⁸ *Illegal wildlife trade in India.* WORLD WILDLIFE FUND . https://www.wwfindia.org/about_wwf/enablers/traffic/illegal_wildlife_trade_in_india/. (Last Visited :15th Jan 2023, 10. 45 PM).

⁹ See the *Report of Crime in India*, Vol II, National Crime Records Bureau, Ministry Of Home Affairs (2021).

Often the environment and forest-related concerns are undermined due to a lack of political will and juvenile governance. In a landmark case of *State of Bihar v. Murad Ali Khan & Others*¹⁰, the apex court of India has pointed out the loopholes of the Indian legislation in protecting the environment. The court stated, “....The preservation of the fauna and flora, some species of which are getting extinct at an alarming rate has been a great and urgent necessity for the survival of humanity and these laws reflect a last-ditch battle for the restoration, in part at least, a grave situation emerging from a long history of callous insensitiveness to the enormity of the risks mankind that goes with the deterioration of the environment. The tragedy of the predicament of the civilized man is that every source from which man has increased his power on earth has been used to diminish the prospects of his successors. All his progress is being made at the expense of damage to the environment which he cannot repair and cannot foresee”¹¹

Despite being part of **CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora)**, India is among the top countries for wildlife crimes. Due to its enormity and mega diverse nature along with a dense population that makes tracing the illegal goods almost near impossible once these enter the domestic markets, India is playing the role of a key country for illegal forestry and wildlife products as well as a source. Forestry and wildlife crimes are a multi-billion dollar illegal business run by international criminal cartels that have remained a low-risk and high-profit venture due to the inefficiency of the governments who despite promising stringent action against atrocities of these criminals have failed to deliver any effective action. The Indian legislation may deliver punitive sanctions for any forest or wildlife-related offences, regardless, the penalties and the full force of law are rarely brought to occasion in such cases which are even not stringent enough to dissuade any poaching or trafficking activity.

Due to the incessant illegal hunting and killing of endangered wild species, the declining rate of the population of exotic flora and fauna has increased at a phenomenal rate. At present, the extinction rate is nearly 10,000 higher than the

¹⁰ (1988) 4 SCC 655 (India).

¹¹ *Id.*

natural rate, equating that human beings are causing the unorthodox extinction of almost 200 species per day. This rate has not been measured since the disappearance of dinosaurs from the Earth billions of years ago.¹²

India is among the first twelve mega-diverse regions in the world. The enormity of the portion of the land and the complex biodiversity makes it even more challenging to monitor the ground reality everywhere. The increasing illegal timber trade or the looming threat to wild species is making the situation even more difficult to handle. The investigation and the increasing seizure incidents at present predict the condition of the spiraling wildlife trade.¹³ The neighboring China and the Far East countries have become a huge market for wildlife articles and offshoots from Indian forests.

The transnational trafficking of wildlife and forestry products in India mostly occurs via the adjacent international boundaries along with the Northeastern part or via airports. The demand for trafficking is fueled by the demand for raw materials such as ivory, red sandalwoods, tiger parts, and rhinoceros' horns for various purposes such as utilization in making traditional medicine, or attraction towards exotic pets. Trafficking of these items is rampant in Indo- Nepal, Indo-Myanmar-China Borders, and Northeastern Cities such as Guwahati, Imphal, Dimapur, etc all are being used as transit sites.¹⁴ The illegal poaching of flora and fauna has a consequential impact on the world's environment, nations' economies, governments, and mainly the biodiversity of the region. According to a recent report by **TRAFFIC** published in 2020, Indian star tortoise and Red Eared Slider turtles of India are at present one of the most smuggled animals in the country.¹⁵ In addition to that India also has a domestic market for wildlife meat and body parts, various forestry items.

¹² Narayan Prasad Sharma, *Wildlife Crimes: Causative Factors, Volume, Impact and Measures for Control*, 9 NJA L.J 135, 138-40 (2015),

¹³ *Id.*

¹⁴ See the Report of *In Plane Site* (2018) TRAFFIC https://www.traffic.org/site/assets/files/10858/in_plane_sight.pdf (Last visited 31 th Jan, 2023)

¹⁵ See the Report *Runway to Extinction Airports and airlines in every region can assist with fighting wildlife trafficking* (2020) TRAFFIC.

III. Elucidating the Term Forestry and Wildlife Crime

Forestry and wildlife crimes are complex phenomena with numerous dimensions and layers. It often emanates from the interplay of multifarious factors- cultural, political, social, economic, and environmental. It also involves a variety of actors in different layers. The complex nature of these crimes makes it the job far more challenging for international organisations and government agencies to identify the pros and cons of the existing legal framework, its enforcement, administrative measures, and other preventive mechanisms where the gap still exists. For a noteworthy period, the international trade in wildlife or forest products as "live bodies" or parts and products was largely overlooked in most of the criminological studies.

As the geographical extent, scope, and severability of forest-related crime grow alongside cross-border trafficking or expansion of domestic criminal markets so too has the attention of criminologists. To some extent, the gradual increase in green crimes occurred as a result of forces underpinning different markets.¹⁶ Over the decades due to the scarcity of any restrictions on the sustainable method or any regulated seasons related to hunting the sustainability of flora or fauna was put at risk very easily. With the usher in of the twentieth century the introduction of legal norms and various restrictive sanctions it was hoped that the menace of over-exploitation and extinction would be restrained. Somewhat however the spectrum of forestry and wildlife crime has now grown to the point that it is currently considered a serious threat.

There is a fundamental difference between forestry and wildlife crimes with other criminal activities. Criminal acts such as murder, theft, robbery, and vandalism are criminalised as they foist harm either on the person or on their property through damaging economic growth or harming commerce. All these rationales also apply to the crimes perpetrated against natural resources as well.¹⁷ There is an additional reason to combat forestry and wildlife crime as it aims to preserve

<https://www.traffic.org/publications/reports/runway-to-extinction/> (Last visited 31 th Jan, 2023).

¹⁶ Avi Brisman & Nigel South, *Wildlife Crime : From Theory To Practice* 21 (William.D.Moreto Ed., 1st ed, 2018)

¹⁷ *Id* at 20

the sustainability of nature and to ensure a healthy environment upon which human existence depends. *The United Nations Offices on Drugs and Crime* (UNODC) has defined forestry and wildlife crimes as, “ *Taking, trading (supplying, selling or trafficking), importing, exporting, processing, possessing, obtaining and consuming of wild fauna and flora including animals, birds, fish, timber and other forest products in contravention of national or international law. Broadly speaking, wildlife and forest crime is the illegal exploitation of the world's flora and fauna.*”¹⁸

Forest-related offences comprise diverse and overlapping criminal offences beginning from illegal hunting, illegal logging, processing, transporting, and supplying to acquiring and engulfing wildlife flora and fauna. It also covers associated crimes in its ambit such as money laundering, tax evasion, fraud, etc.¹⁹ To combat such criminal activities it is necessary to identify and term all the possible offences and impose stringent measures for the complete array of crimes.²⁰ It is also necessary to comprehend the supply chain and other contriving factors often lying beyond the forest and wildlife areas.

The **Table 1** below presents an overview of the categories of Wildlife, Forestry as well as a list of associated criminal activities by the author to illustrate further. It has been observed that the overlap among such criminal offences often play more than one role.

Table 1.

Wildlife Crimes	Forest Crimes	Associated Crimes
<ul style="list-style-type: none"> • Illegal Hunting • Poaching • Using prohibited equipments for hunting 	<ul style="list-style-type: none"> • Illegal Harvesting • Illegal Logging of exotic trees • Import and export • Illegal Possession 	<ul style="list-style-type: none"> • Document Forgery • Money Laundering • Corruption

¹⁸ *Overview Of Wildlife and Forest Crime*, UNITED NATIONS OFFICE OF DRUGS AND CRIME, <https://www.unodc.org/unodc/en/wildlife-and-forest-crime/overview.html> (Last Visited : Jan 31 .2023, 10:30 A.M).

¹⁹ *Id.*

²⁰ *Id*

<ul style="list-style-type: none"> • Illegal Trafficking • Possession of illegal article • Illegal export • Illegitimate Consumption 		<ul style="list-style-type: none"> • Tax evasion
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Table 1. Categories of different kind of crimes

One of the principle challenge in forest and wildlife crimes are that during investigation. As it has rarely been clearly defined by the legislation. The scope and legality of the definition may depend on the executing government regulations and administrative policies. There are bigger dissimilarities still creating a hindrance among national forestry, wildlife, criminal, and other legal systems. Several countries do not thoroughly criminalize the associated activities of forest and wildlife crimes. In fact, in some jurisdictions, the criminal law even does not contain any special provisions for corruption and fraud in forestry sectors. Thus reform in the current legal framework and the regulatory system has become a *sine qua non*.

IV. The Current Scenario in North Bengal

North Bengal, located in the northeastern part of India, is known for its prosperous natural heritage and diverse forests. The region encloses a large part of the Eastern Himalayan mountain range and is covered by a rampant network of forests and wildlife reserves. These forests are a crucial part of the region's ecosystem, playing a crucial role in maintaining the region's biodiversity, controlling the local climate, and furnishing essential resources for the surrounding precincts. The forests of North Bengal are abode of a multifarious range of animal and plant species, including several species that are found nowhere else in the world. Some of India's richest natural forests may be found in North Bengal. Tropical Moist Deciduous, Himalayan Moist Temperate, Himalayan Dry Temperate, Tropical Semi-Evergreen, Tropical Dry Deciduous,

Subtropical Broadleaved Hill, and Subtropical Dense forests are among the types of forests found in the area.²¹

The location is home to a vast range of flora because to the regions extensive and diverse forest cover. The forest is home to numerous different types of deer, gaur, monkeys, bears, red pandas from the Himalayas, tigers, wild cats and myriad of other species and subspecies of reptiles, birds, and mammals.²² Thus not only this region has become a famous tourist attraction but also the exotic species of this area have become a prime target of poachers as well. Out of the total forest cover of the state of West Bengal (11,879 sq ft)²³ most of the forest area is situated in North Bengal. This province comprises most of the famous reserve forests and national parks of the state too. The following **Table 2** will illustrate the allocation of the green cover of this region.

Table 2. List of Forest Areas of North Bengal

PROTECTED AREA	AREA(SQ.KM)	DISTRICT
<i>A. National Parks of North Bengal</i>		
Neora Valley	159.89	Kalimpong
Singalila	78.60	Darjeeling
Gorumara	79.45	Jalpiguri
Buxa	117.10	Alipurduar
Jaldapara	216.34	Alipurduar
<i>B. Wildlife Sanctuaries of North Bengal</i>		
Senchal WLS	38.88	Darjeeling
Jorepokhri Salamander WLS	0.04	Darjeeling

²¹ See *The State of Environment Report I*, Department of Environment, Government of West Bengal, (2021)

²² *Id.*

²³ See *The Annual Administrative Report 2019-2020*, Department of Forest, Government of West Bengal, (2021).

Mahananda WLS	158.04	Darjeeling & Jalpaiguri Partly
Pakhi Bitan	14.04	Jalpaiguri
Buxa WLS	314.52	Alipurduar

Source : Annual Administrative Report : 2019-2020, Department of Forest, Government of West Bengal,2021

The above mentioned forest cover shown in **Table 2** enfolds a significant part of the region's entire land area and is a basis of livelihood for many local communities, who count on the forest for a range of resources, including fuel, food, and timber. The region's forests also play an important role in controlling the local climate by maintaining the region's water cycle and preventing soil erosion. In contemporary years, the forests of North Bengal have encountered several perils, including deforestation, habitat destruction, and poaching of illegal wildlife trade. These threats have directed to a reduction in the region's biodiversity and have had a consequential impact on the region's ecosystem. Despite its ecological significance, the region has experienced various forms of deforestation, degradation, and exploitation over the years, leading to a decline in forest cover and loss of biodiversity.

The incident of different categories of forestry and wildlife crime is not a rare phenomenon in the region of North Bengal. Some of the cases are reported to the authorities and some remain unnoticed. However, the year 2022 delivered quite a shock and jolted not only to North Bengal but to the whole nation when Kangaroos were found near *Gajoldoba* area, Baikunthapur forest range of North Bengal. A total of 4 Kangaroos were rescued by the forest official including a dead one.²⁴ All were suspected to be illegally transported to another destination. Despite its rich biodiversity, there is no way Kangaroos live in the forests of

²⁴ Sudarshana Chakraborty. *Kangaroos in Dooars! Is Jalpaiguri the new wildlife trafficking hub.* DOWN TO EARTH(14th April,2022).<https://www.downtoearth.org.in/news/wildlife-biodiversity/kangaroos-in-dooars-is-jalpaiguri-the-new-wildlife-trafficking-hub-82392>.

India. These mammals can only be found in Australia or New Guinea.²⁵ Thus the long allegation of North Bengal becoming a transit point of trafficking of exotic and native species of various forestry and wildlife items came beneath the limelight yet again after this incident.

V. Major Challenges of this Region

A. The Man –Animal Conflict

One of the major challenges specially the areas adjacent to the forest provinces are facing that is increasing man animal conflict. Almost every day there is an incident of clash or loss from both the sides. Elephant reserves, tiger reserves, national parks, and wildlife sanctuaries are all maintained in reserved and protected forest regions in these regions. Since the Increased agricultural and industrial activity, resource demand, urbanisation, and population growth all contribute to the high frequency of human animal conflict in these districts. In addition to causing property and crop damage, these conflicts also cause fatalities.²⁶ In the year of 2019-2020, in **Gorumara Wildlife Division** within a span of one year 20 people were reportedly killed by animal attack.²⁷ The establishment of elephant corridors, instruction of farmers on how to preserve their crops, and the relocation of elephants to safer habitats are some of the answers the government and conservation organisations are striving to discover to reduce this conflict. The conflict between humans and animals is a complicated topic with numerous variables at play.

According to studies, the main reason for man-animal conflict in this region is the loss of natural ecosystems brought on by human population growth. Animals are compelled to enter human settlements in search of food and water as humans encroach on wildlife habitat, which increases conflict between the two species. Numerous detrimental effects, such as property damage, monetary losses, and

²⁵ Athira Perinchery. *Bad News: There Are Kangaroos in West Bengal Forests*. THE WIRE. (4th April, 2022) <https://science.thewire.in/environment/exotic-species-kangaroos-west-bengal-forests-smuggled/>.

²⁶ Nabanita Mukherjee. *A Brief Appraisal of Human Wildlife Conflict in Jalpaiguri and Alipurduar Districts of West Bengal*. 131 Vol 6, Issue 8 IJSRP. 131, 132-33 (2016).

²⁷ *Supra* note at 24.

even human fatalities, may be brought on by this battle.²⁸In other instances, killing or capturing animals may also be done in an effort to contain the dispute. In addition, the anxiety and trauma brought on by human-animal interactions can seriously impair animal populations and their capacity to endure over the long run.²⁹

B. Poverty and Unemployment

While authorities strive to enhance a state's economy and society, policymakers attempting to combat the effects of poverty frequently also have to deal with the problem of crime. Crime constructs fluctuation and uncertainty, which ultimately impedes the development of enterprises (at micro and macroeconomic levels).³⁰ The unemployment momentum, as a criterion of the incidence of unemployment, is computed as a percentage by dividing the numeral of jobless persons by the entire digit of people who are now economically secured. An economic system typically observes a wildly high unemployment rate during recessionary periods. Like other developing nations, India is struggling with the issue of widespread poverty among the general population, as well as crime and other forms of criminal activity.

Since the dawn of civilization, society has experienced various patterns of crime depending on the demographic, social, economic, geographical, and political conditions. Criminologists have considered for a long time that social injustice and socioeconomic situations have an influential sway on both the justification why certain individuals amuse in illegitimate conduct and the levels of criminal activities in various communities.³¹ In general, poverty in all of its

²⁸ Simon Thirgood et al. *The impact of Human-Wildlife Conflict on Human Lives and Livelihoods*. 14 PEOPLE AND WILDLIFE: CONFLICT OR COEXISTENCE. (1st ed, 2005).

²⁹ *Id* 15.

³⁰ Marc Hooghe et al. *Unemployment, Inequality, Poverty and Crime: Spatial Distribution Patterns of Criminal Acts in Belgium, 2001–06*. Vol 51 Issue 1 BJC 20 (2011).

³¹ Fabio Todesco et al. *Researchers measure the link between unemployment and crime*. <https://phys.org/news/2022-09-link-unemployment-crime.html>. (Last visited 25 Jan, 2023, 3.40. PM).

manifestations pushes people to the margins and puts them under pressure to engage in novel forms of criminality, such as environmental and wildlife crime.

Additionally, COVID-19 has probably had greater immediate effects on offences relating to forests and wildlife. Due to pandemic limitations in recent years, demand for many popular local products and services (such as food products) declined, became restricted, or disappeared entirely. Not many heavy industries have been set in the region of North Bengal. Primarily this region consists of medium and small enterprises. In fact, the per capita income in the districts of this area is allegedly below the state average.³² Thus under these circumstances Crime rates will probably rise as the economic benefits of lawful work is still has not come to a normal state.³³

C. Unhindered Forestry and Wildlife Offences

The crucial geographical position of the North Bengal region encircled by different neighboring countries and adjacent states has made this area a transit point of trafficking. The Siliguri corridor also known as the *Chickens neck area of India* is one of the central points that connects Nepal, Bhutan, Bangladesh, Sikkim, and Northeastern along with the rest of the county. Thus for national security correspondingly this location is significant.³⁴ With the rampant seizures of exotic species such as hornbill, parakeet, pygmy falcon, hoolock gibbon, Tokay gecko, rosella bird and other various wildlife articles West Bengal has probably become a hub for smugglers dealing in endangered species in the country.³⁵

³² *Report on Economic Scenario & Prospects of North Bengal* 35. (2016). (Last Visited on 12th Feb, 2023, 10.45 PM):<https://bengalchamber.com/downloads/report-north-bengal-jan2016.pdf>.

³³ Michelle Anagnostou et al. *Poverty, Pandemics, and Wildlife Crime* Vol. 19, No. 4 CONSERVATION & SOCIETY .294, 294-95 (2021).

³⁴ *Chickens Neck* (3rd july, 2017), THE TIMES OF INDIA. <https://timesofindia.indiatimes.com/politics/chickens-neck/articleshow/59424396.cms>.

³⁵ Tanmay Chatterjee. *Bengal Tops in Illegal Wildlife Trade in Eastern India, Int,l gangs most active.* (21th July, 2018). HINDUSTHAN TIMES. <https://www.hindustantimes.com/kolkata/bengal-tops-in-illegal-wildlife-trade-in-eastern-india-int-l-gangs-most-active/story-D7dxJvwKIYaU1TKCwiQvjL.html>.

Parallel to wildlife offences, timber mafia can be used to describe any illegal or illicit activity that is repeatedly planned and carried out on a big scale by a group of persons. It is also described as organised crime in the context of unauthorised timber harvesting. But it is improbable that the timber mafia operates covertly or without the consent of the neighbourhood. After all, felling trees and moving them cannot be compared to stealing, which may be carried out covertly. Local people, particularly young people in a village or town, are often observed working for the timber mafia to assist them to pay for their daily needs.³⁶ There are youths mostly from the rural community of this region who have no other choice because there is a lack of work, thus indulge in such activities.

The area of North Bengal has remained a transit point for smuggling various articles. From various prominent newspapers reporting and statements of the forest officials in this area it has been collected that, from 300-kilometer area of National Highways 27 and 31, North Dinajpur's Islampore on the Bengal-Bihar border in the west to Coochbehar, on the Assam-Bengal border, that is the northern part of West Bengal, is home to up to four underground trade routes. The road passes through important cities like Siliguri and Jalpaiguri.³⁷ According to the statements of the forest department officials, smugglers, who are mostly from the North-East, normally buys rare animals or other forestry products in Assam or Bhutan and carry them via National Highway 31, which runs through Siliguri on its way from Uttar Pradesh to Assam and on to Nepal Border area.³⁸ The items are allegedly then transported from Nepal to China and Indonesia.³⁹

VI. Conclusion

The menace of forestry and wildlife crime currently poses threat not only to national security but to countries worldwide Organized crime, corruption, and terrorism all are directly conjoined to such offences. These aspects threaten

³⁶ *Supra* note at 34.

³⁷ Debayan Dutta. *North Bengal And Its Connection With Smuggling of Exotic Animals And Articles.* THE QUINT. (29th Aug, 2022) <https://www.thequint.com/news/india/north-west-bengal-animal-smuggling-siliguri-corridor-exotic-animals#read-more>.

³⁸ *Id.*

³⁹ *Id.*

national security and if this goes on a nation also can lose its legitimacy.⁴⁰ Countries such as India with rich natural biodiversity, lower development levels, and allegedly substantial levels of corruption lure criminals. These criminal activities also have a social and environmental impact on society itself.⁴¹ The environment including forests and wildlife is our commitment to protect as a superior species in the globe right now.

With that being said, it can also be stated that the use of technology and innovation can also be used to detect and curb the menace in the forest area.⁴² India has already adopted various innovative technologies to preclude environmental harm still this country has to confound various hindrances in the protection of forests. As for the forest region of North Bengal, it can be suggested that community-based forest management is a *sin qua non* for the peaceful coexistence between wildlife and human beings. The forests, the biodiversity, and the wildlife rooming there is the most precious possession of North Bengal. The increasing number of human casualties, destruction of forest areas, and advancing man-animal conflict including the criminal activities in the forest area is a forewarning sign for this region. If such direction goes on there will be a monumental challenge for the future to preserve the flora and fauna of this place from becoming extinct perpetually.

⁴⁰ Daan P. Van Uhm. *Wildlife Crime and Security* 87 TRANSNATIONAL CRIME AND GLOBAL SECURITY (Philip Reichel et al. eds., 1st ed, 2018.)

⁴¹ Id.

⁴² Maneesha Mishra et al. *Technology and Wildlife Crime: An Appraisal in India*. . Vol 8 issue 12 IJITEE 122, 124-35 (2019).