

AZAD GOVT. OF THE STATE OF JAMMU AND KASHMIR,  
LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT,  
MUZAFFARABAD.

Dated the December 30, 1975.

No, 4019/ SL/ 75 The following Act of the Legislative Assembly  
received the assent of the President on the 30th day of December, 1975,  
and is hereby published for general information:-

(ACT XXIII OF 1975)

AN ACT to amend and consolidate the law relating to  
preservation, conservation and management of wildlife in Azad Kashmir;

Preamble:

WHEREAS it is expedient to amend and consolidate the laws  
relating to preservation, conservation and management of wildlife in  
Azad Jammu and Kashmir, for the purposes hereinafter appearing;

It is hereby enacted:-

1. Short title, Commencement and extent: (1) This Act may be  
called the Azad Jammu and Kashmir Wild Life Act, 1975.

(2) It extends to the whole of Azad Jammu and Kashmir  
territory.

(3) It shall come in to force at once.

2. Definitions: In this Act, unless the context otherwise requires,  
the following expressions shall have the meanings hereby  
respectively assigned to them, that is to say:-

(a) "Officer" means Chief Wild life Warden, Wild Life  
Warden Wild Life Ranger, Wild Life Deputy Ranger,  
Game Jamadars, Wild Life Scout, Game Watcher or any  
Forest Officer as defined in the Forest Act, (II of 1987  
B) or any other officer empowered by the Government in  
this behalf, may from time to time, appoint by name or  
as holding an Office, to carry out all or any of the  
Purposes of this Act, or to do anything required by this  
Act or any rule made under this Act;

(b) "Government" means the Azad Government of the State  
of Jammu and Kashmir;

(c) "License" Special License "Permit" and "Special

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VOLUME IV: 1974-1977

“Permit” means respectively, a license a special license a permit, or a special permit granted or issued under this Act or the rules.

“Wild Animal” means any vertebrate creature other than human beings, animals of usually domesticated species of fish and includes the eggs of birds and reptiles. The term including wild animal kept or born in captivity;

“Meat” means the fat, blood, flesh or any edible part of an animal, whether fresh or preserved;

“Trophy” means any dead animal or any born antler tooth, tusk, bone, claw, hoof, skin, hair, feather, egg shell or other durable part of any animal when here or not included in a manufactured or processed article;

“Dealer” when used in relation to animals, trophies or meat shall means any person who in the course of trade or business carried on by him whether on his own behalf or on behalf of any other person;

(i) Sell, Purchases or barters, preserves, Cleans, mounts or otherwise prepares any animal trophy or meat;

(ii) Cuts, carves, polishes, preserves, cleans, mounts or otherwise prepares any animal trophy or meat;

(iii) Manufactures an article form trophies or meat;

“Offence” means an offence punishable under this Act or under any rule made there under;

“Wildlife Sanctuary” means an area closed to hunting, shooting or trapping of animals and birds set aside as undisturbed breeding ground primarily for the protection of wild life, all organic resources such as animals, birds

vegetation, soil and water. Public access is banned except as provided in the rules and no exploitation of forest is allowed except for reducing fire hazards, epidemic insect attacks or such other natural calamity in the area.

“National Park” means comparatively large area of outstanding science merit and natural interest with the primary object of protection and preservation of scenery

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VOLUME IV: 1974-1977

flora and fauna in the natural state to which access for public recreation, education and search may be allowed, No hunting or shooting or trapping or killing in any form or injuring of animals and birds is permitted.

Management of the forest and range lands, for a sustained yield of forest produce may be allowed provided that the National Park values are not jeopardized. Construction of access roads and building of rest houses or hostels and provision of amentias for the Public shall be carefully planned so as not to impair the primary object of the establishment of National Parks.

“Game Reserve” means area where wildlife is protected for increase in population of the important species, Capturing of animals and birds is prohibited, Hunting and shooting are allowed with special permits in forms prescribed by Government with such restrictions as to the maximum number of animals and birds that can be killed and the area and duration of which such permits are valid.

“Private Game Reserve” means an area of private land set aside by the owner for the same purposes as a Game Reserve and recognized as such by being declared as a Private Game reserve in accordance with Section 32 of the Act;

“Game Animal” means a wild animal specified in the First Schedule”

“Prescribed” means prescribed by rules;

“Protected Animal” means a Wild animal specified in the third Schedule;

“Wild Life” including organic resources, animal birds, reptiles vegetating, soil and water.

Appointment of Officer: The Government may for the Purposes of this Act appoint:-

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(b)

any officer to carry out the provisions of this Act;

any person to be a honorary Officer under the Act to assist in carrying out the provisions of this Act or may cancel such an appointment.

517

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VOLUME IV: 1974-1977

Except as may otherwise be prescribed, an honorary officer shall have all the powers conferred by this Act and shall hold office for a period of three years, unless the appointment is revoked earlier.

Formation of Azad Jammu and Kashmir Wildlife Board:

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As soon as possible after the coming into force of this Act the Government shall constitute a Board hereinafter called, the 'Azad Jammu and Kashmir Wildlife Board' consisting of the members as the Government may deem fit.

After the constitution of the Azad Jammu and Kashmir Wildlife Board" the Government by notification in the official Gazette shall specify the members and functions of the Board.

Wild Animals which shall not be killed or captured: The wild animals specified in the First Schedule shall be known as Game Animals and those specified in Third Schedule as protected animals, these animals shall not be hunted, killed, or captured except as provided in the Act.

Snare, Trap, Net and Cruel methods shall not be employed:

No person shall:-

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Hunt any wild animal by means of a set gun, drop spear dead fall or gun trap;

Hunt any wild animal by means of an explosive projectile, bomb or grenade;

Hunt any wild animal by means of a baited hook or any other trap, whatsoever;

Hunt any game animal by means of an automatic weapon or a weapon of caliber used by the Army or Police Force.

Hunt any game animal other than birds or hares with a shot gun or with a non-magnum rifle of 22 Caliber or less;

Hunt any game animal by means of a projectile contusing any drug or chemical substance having the property of anesthetizing paralyzing stupefying or rendering an animal incapable, whether partly or totally;

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**VOLUME IV: 1974-1977**

Use or have in his possession any poison or like injurious substance for the purposes of hunting a game animal;

Use any motor vehicle, motor driven vessel, or aircraft to pursue any game animal or to drive or stampede game animals for any purpose whatsoever;

Shoot any game animal from any aircraft, motor vehicle rail trolley, cart, boats or form within 200 yards of any aircraft motor vehicle, rail trolley, cart or other conveyance.

Hunt with help of live decoys or call birds;

Construct or use or have in his possession for the purposes of hunting any game animal any pitfall game pit trench or similar excavation, any force or enclosure, or use bhagwa or any contravene.

Provided that:

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(a) It shall not be an offence to use a motor vehicle or aircraft to drive any wild animal away from an aerodrome or airstrip when such action is necessary to ensure the safety of aircraft using that aerodrome;

(b) The officer authorized in this behalf may, at his discretion, grant capture licence and employment of one or more of the methods of hunting specified in the sub-paragraphs of this section;

For the purpose of hunting or assisting in hunting any animal any fire or drive or sunset any animal by fire;

Drive any game animal water for the purposes of incapacitating and killing.

Hunt any game animal during the hours of darkness, which for the purposes of this paragraph shall mean the period commencing half an hour after sunset and ending half an hour before sunrise either with or without the aid of a torch or other artificial light.

Game shooting licence: Game shooting licence shall be of the following kinds:-

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#### VOLUME IV: 1974-1977

A small game shooting licence which shall subject to the provision of this Act, entitle the holder to hunt and kill the animal specified in column 1 of Part 1 of the First Schedule, up to the number specified in column II. Subject to the limitations of time and season specified in Column IV.

A big game shooting licence which shall subject to the provisions of this Act, entitle the holder to hunt and kill a single individual of the animals specified in column 1 of part II of the First Schedule of the kind endorsed on that licence, subject to the limitations of season and locality specified in column IV and V.

The fees chargeable in respect of such licence and the number and limitation of size of each species of game animals specified for each of them shall be fixed by Government or by the Chief Wild Life warden from time to time and notified in Government Gazette.

**Issue of Game shooting licence:** The Chief Wild Life Warden/Wildlife Warden may grant to any person, or may refuse without assigning any reason, game shooting licence of a kind specified and before granting such a licence he may require the applicant to furnish him with proof that;

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he is conversant with the provisions of this Act

he has access to and is entitled to carry a fire arm type suitable for use in hunting the animals for which licence is required; and

he has adequate skill in the use of fire-arms.

**Obligation to maintain a Register and return Licence:** Any Person who has been granted a game shooting licence shall:-

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carry it on his person when hunting.  
keep a register in the prescribed form.

enter particulars of any animal killed or wounded, in the register within 24 hours of its being killed or wound.

produce his licence or register for inspection at any reasonable time on being called upon to do so.

return his register and the game shooting licence to which

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#### VOLUME IV: 1974-1977

it refers to the wild life warden on the expiry of that licence or on his leaving the country, whichever the earlier:

Provided that a big game shooting licence may be remain as proof of lawful possession of the tropic licence meat of an animal killed under the licence under such time as if has been exchanged for a certificate of lawful possession.

Hawks and Dogs shall not be possessed or used or killing wild birds or animals without a special licence: No person shall possess or use Hawks for hawking the wild birds or dogs for coursing wild animals, specified in the Schedule I except under a special licence issued under the Act.

Animals found dead or killed or caught unlawfully: Any protected or game animal or the meat and trophy of any game or protected animal that is found dead or dying or which he been killed or caught otherwise than in accordance with the provisions of this Act shall be the property of the Government.

Restrictions on number and use of Game, shooting licence:

(1) No person shall hold more than one valid small game shooting licence at any time.

(2) Licence issued under this Act in the form prescribed shall be non-transferable and non-shareable.

Prohibition against killing or shooting without licence: It shall not be lawful for any person to kill game except by shooting under a licence or to proceed in search of or shoot or capture game, except under and in accordance with the terms and conditions of his licence.

Prohibitions against shooting or capturing in close season: It shall not be lawful to shoot, kill or capture game in the close season.

Game capture licence: (1) The Chief Wildlife Warden and Wildlife Warden may grant to any person, or may refuse without

assigning any reason for his refusal, a game capture licence and before granting such a licence he may require the applicant to furnish him with proof that:-

(i) He has adequate experience of the capture and care of wildlife animals,

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VOLUME IV: 1974-1977

- (ii) The capture animal is required for a reputable purpose;
- (iii) | The purposed method of capture is suitable;
- (iv) He has adequate crating and transport facilities at his disposal.

(2) A game capture licence shall be valid for a specified period from the date of its issue and shall entitle the holder to hunt and capture the kind and number of game animals endorsed therein in such locality and by such means and for such purposes as may be specified.

Obligation to maintain Register and return Licence: Any person who has been granted a game capture licence shall:-

- (i) Carry it on his person when hunting;
- (ii) Maintain a register in the prescribed form;
- (iii) | Enter any animal caught, or accidentally killed or wounded and lost, in that register within 24 hours of its being caught, or killed or wounded and lost and enter the date of death of any animal that dies subsequent to being captured;

Restriction on transfer of Game Capture licence: Game capture licence shall be non-transferable and non-shareable.

Animal to count against Game shooting Licence and Games Capture Licence: (1) Any animal which is killed or wounded and lost, in any circumstance whatsoever, by the holder of a game shooting licence or a game capture licence which entitle the holder to kill or capture and animal of that kind shall count against that licence.

(2) Any animal that is caught by the holder of game capture licence which entitle the holder to capture and animal of that kind and which subsequently dies, shall count against that licence.

Certificate of Lawful possession:(1) The officer authorized in this behalf may issue certificate of Lawful possession to any person who is in the lawful possession of any animal, trophy or meat.

(2) No person shall be in possession of any animal, trophy

or meat of a kind specified in the Second Schedule, of this Act,

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VOLUME IV: 1974-1977

Unless he is in possession of a Certification of lawful possession in respect thereof:

Provided that any person importing an animal, trophy or meat in accordance with this Act, or acquiring an animal, trophy or meat in accordance with the terms of licence or permit issued under this Act, shall be allowed 30 days from the date of importing or acquiring the animal trophy or meat to apply for a certificate of lawful possession.

(3) The Officer authorized in this behalf may mark or register and animal, trophy or meat in respect of which a certificate of Law full possession is issued, in any manner he deems fit, or he may seize, pending the taking of legal action under this Act, any animal, trophy or meat which he is not satisfied has been legally imported or acquired.

(4) Any person who:-

(i) Fails to apply for a Certificate of Lawful possession for any animal, trophy or meat for the possession of which a certificate of Lawful possession is required;

(ii) Counterfeits, exchanges or in any way interferes with any mark or registration put on any animal, trophy or meat for which a Certificate of Lawful possession has been issued, or alters or in any way changes a certificate of lawful possession, shall be guilty of an offence.

Restriction on transfer of animals, trophies or meat:-(1) No person shall transfer by gift, sale or otherwise to any other person any animal, trophy or meat of a kind specified in the Second Schedule to this Act unless he be in possession of a Certificate of Lawful possession in respect thereof, and that kind such Certificate be endorsed with details of the transaction and given to transferee at the time of the transfer.

Restriction on import of animals and trophies:-(1) No person shall import, or attempt to import into Azad Kashmir any live wild animal of an endemic or exotic species, or any trophy or meat of a kind specified in the Second Schedule to this Act except.-

i) through a customs post of entry;

ii) he produces to the Customs Officer satisfactory proof that such animal, trophy or meat has been lawfully exported from the country of export;



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**VOLUME IV: 1974-1977**

iii) he produces an import Permit issued under this Act.

(2) It shall be the duty of a Custom Officer to detain any live wild animal, or any trophy or meat of a kind specified in the Second Schedule until the documents required by paras (ii) and (iii), of subsection (1) of this section have been surrendered to him, and if those documents are not surrendered within a reasonable time the animal trophy or meat, shall be forfeited and disposed according to the instruction of the Officer authorized in the behalf.

**Restriction on Export of Animals, Trophies and Meat:** (1) No person shall of export or attempt to export any animal trophy or meat specified in the Second Schedule to this Act except.

(i) Through a custom post exit;

(ii) He produces to the customs officer an export permit issued under this Act.

(2) The Officer authorized in this behalf may issue, or refuse to issue without assigning any reason an Export Permit to the lawful possessor of any animal, trophy or meat of a kind specified in the second Schedule to this Act and on receiving Export Permit the owner of the Animal, trophy or meat shall immediately surrender the Certificate of lawful possession relating thereto.

**Animals, Trophies and Meat in transit through Azad Kashmir:** (1) Nothing in this part of this Act shall apply to any animal trophy or meat in transit through Azad Kashmir, provided that the animal, trophy or meat.

(i) Is accompanied by any necessary transit customs documents;

(ii) Is entered thought a custom post of entry;

(iii) Is not unloaded from the ship or motor vehicle on which it is being carried or, in the case of rail or air transport, provided that it does not leave the precincts of the railway station or rail-post at which it is landed or trans shipped or remains there for more than 48 hours other than in a customs where house.

**Restriction on dealing in Animals, Trophies or Meat:** (1) No person shall as a profession, trade or business buy, sell or

otherwise deal in animals trophies or meat, or processes or

524

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VOLUME IV: 1974-1977

manufacture goods on articles from trophies or meat, unless he be in possession of a valid permit to do so, issued by the Officer authorized in this behalf thereafter called a Dealer's Permit.

(2) The Officer authorized in this behalf may grant, or may refuse without assigned any reason a Dealer's Permit to any person, which shall entitle that person to deal in any animal trophy or meat, or any class of animals, trophies or meat specified in that permit.

(3) A Dealer's Permit shall be valid for a period of one year from the date of issue and shall be subject to the fee specified For the purposes assessing fees dealers may be divided into different classes and a different fee may be prescribed for each class.

(4) The holder, of a Dealer's Permit shall maintain such register or records of his dealings as the Officer authorized in this behalf may require and shall produce them for inspection at any reasonable time when called upon to do so.

(5) Nothing in this section shall be construed to absolve the holder of a Dealer's Permit from complying with the provisions of Section 11, 9, 20, 21 and 22.

Power to search without Warrant: Any Officer or any other person authorized by Government in this behalf, may search any person, vessel vehicle, animal, package, receptacle or any suspected place so as to satisfy himself as to whether or not offence under this Act, has been committed.

Powers of seizure: Any Officer or any person authorized by the Government in this behalf, may seize any wild animal together with any fire-arm net trap, snare, bow arrow or any vehicle or vessel or any thing whatsoever used or suspected to have been used in the commission of an offence under this Act.

Duty to produce Permit on demand made by any Officer or person authorized in this behalf: Every person in possession of any wild animal specified in the Second Schedule shall produce his certificate of lawful possession on a demand made by any officer or any other person authorized by Government in this behalf.

Duty of Coupe purchaser, Chowkidar, defender, Village

Watchman etc: Every coupe purchaser of forest produce,  
lambardar, Chowkidar, police man, village headman, chairman

525

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**VOLUME IV: 1974-1977**

and member of Union Council and all Government servant shall be bound in the absence of reasonable excuse, to give to any officer or any person authorized in this behalf by Government information in respect of any snaring, trapping netting unauthorized killing or any other offense under this Act committed within the limits of his jurisdiction, as soon as the commission of such offence comes to his knowledge.

Procedure as to perishable property seized under Section 26: Notwithstanding any thing contained in this Act the Officer or any other person authorized in the behalf may, sell any property seized under section 26 and subject to speedy and natural decay, and may deal with proceeds as he would have dealt with such property if it had not been sold.

Killing or Capturing in self-defense: (1) Notwithstanding any other provisions of this Act, it shall not be an offence.

(a) For any person to kill any bird or animal by any means in the immediate defense of his own life or that of any other person.

(b) For the owner of standing crops or his employee to kill any bird or animal that is doing material damage to those crops by any means within the bounds of those crops.

(c) For the owner of livestock or his employee to kill any animal that is doing damage to the livestock by any means within a reasonable distance of where that livestock is grazing or where it is enclosed for the night.

Provided that paragraph (b) and (c) of sub-section 1 of this section shall not apply to any unlawful cultivation in a National Park, Wildlife sanctuary Reserved and protected Force or any livestock illegally grazing or herded therein.

(2) The killing of wild animal specified in the First and Third Schedule under Sub-section 1 of section 30 shall be reported to the nearest competent authority with the least possible delay.

(3) The meat or trophy or any protected or game animal killed under section 30 of this Act shall be property of the Government and shall be disposed of as directed by the officer authorized in this behalf.

Owns of Proof: When in any proceedings taken under this Act

526

or in consequence of any things done under this Act, a question arises as to whether any wild animal, trophy or meat is the property of the Government such wild animal shall be presumed to be the property of the Government until the contrary is proved.

Powers to Declares any area to be a Wildlife sanctuary, a National Park or a Game Reserve for wild Animals. (1) The Government may by notification declare any area to be a Wildlife sanctuary.

(2) No person shall:-

- (i) Enter or reside any Wildlife Sanctuary;
- (ii) Cultivate any land in Wildlife Sanctuary;
- (iii) Damage or destroy any Vegetation in Wildlife Sanctuary;
- (iv) Hunt, kill or capture any wild animal or carry any firearm in Wildlife Sanctuary or within 3 miles from the boundaries of a Wildlife Sanctuary;
- (v) Introduce any exotic species of animal plant into the Wildlife Sanctuary;
- (vi) Introduce any domestic animal or allow any domestic animal to stay into a Wildlife Sanctuary;
- (vii) Cause any fire;
- (viii) Pollute water flowing in and through the wildlife Sanctuary;

Provided that Government may for scientific purposes or for any esthetic enjoyment or betterment of scenery Authorize the doing of the afore-mentioned prohibited act.

(3) The Government may declare any area to be a National Park, where the following Acts shall not be allowed.

- (i) Hunt, kill or capture any wild animal in a national Park or within 3 miles radius of its boundary;
- (ii) Fire any gun or do any other act which may disturb any wild animal or do any act which interferes with the breeding place of any wild animal;

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VOLUME IV: 1974-1977

(iii) Fell, tap burn or in any way damage or destroy, take, collect or remove any plant or tree there from;

(iv) Clear or break up any land for cultivation, mining or for any other purpose;

(v) Pollute water flowing in and through the National Park;

Provided that the Government may for scientific purpose or betterment of the National Park Authorize the doing of any the above-mentioned prohibited acts.

(4) The Government may declare any area to be a Game Reserve where hunting and shooting of wild animals shall not be allowed, except under a special permit.

(5) Alteration in boundaries may be allowed by the authorities competent to constitute the National Park, wildlife sanctuary and Game Reserve.

(6) Whoever with intent to cause damage or injury to the public, or to any person, or to cause wrongful gain as defined in Azad Penal Code, or local and special law, alters, removes destroys or Defense any boundary mark or Game Sanctuary or of a Game Reserve or of a reserved area, or National Park shall be punished with imprisonment of either description for a term which may extend to one year or with fine not exceeding one thousand rupees or with both.

Rewards: Any person persons giving such bonafide information as shall lead to conviction under this act or the rules made there under shall be entitled to reward which may at the discretion of the Magistrate trying the case, extend to the full amount of the fine inflicted.

Explanation: Government employees who give such information shall not be debarred form receiving the above reward.

Private Wildlife Reserve: (1) Where the Government is satisfied that an area of private land has been dedicated by its owner to the same purposes as a game Reserve, the Government may, on the application of the owner declare that area of land to be private wildlife reserve by Gazette Notification.

(2) The Government may at any time by notice in the Gazette, declare that any private Wildlife Reserve shall cease to be private Wildlife Reserve.



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**VOLUME IV: 1974-1977**

(3) The owner of such a private Game Reserve shall exercise the powers of an officer under the Act within its boundary.

Abetment of an offence: An abetment of any offence under this Act shall be punishable as the main offence.

Interference in duty: Interference, by any one in due discharge of duties of the Government employees appointed under this Act shall be unlawful.

Penalties: (1) Whoever;

(i) Contravenes or attempts to contravene the provisions of sections 5,8,19,20,21,23,24 and 32 of this Act, shall be punished with imprisonment which may extend to one year or with fine which shall extend to one thousand rupees, or both alongwith the cancellation of hi licence under the Act for a specified period;

(ii) Contravenes or all attempts to contravene provisions of section 6 and 36 with imprisonment which may extend to two year or with fine which may extend to Rupees 1000/- or with both;

(iii) | Contravenes or attempts to contravene the provisions of sections 10, 27, 30, (2) and 36 of this Act shall be punished with a fine which may extend to five hundred rupees.

(iv) Any Government employee who fails to report any infringement of the provisions of this Act or of any rule made there under on its being brought to his notice shall be liable to the punishment laid down in sub-section (iii)

(2) Any person contravening any provision of this Act or any rule made there under for the contravention of which no special penalty is provided, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees or both.

(3) Whoever, having already been convicted of an offence under Subsection 1 (I) of this section, is again convicted there under shall, on every subsequent conviction be punishable with imprisonment for a term of minimum of twelve months or with fine which shall extend to a minimum of one thousand rupees or with both and his fire arm, vehicle appliance or anything used in

this commission of the offence shall be confiscated and his

529

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#### VOLUME IV: 1974-1977

hunting licence cancelled for a period of 10 year.

Persons who may lodge complaints: No court shall take cognizance of any offence under this Act except on the complaint of an officer or of any person appointed under this Act and authorized by the Government in this behalf.

Prosecution of offence under any other Law: Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or commission which constitutes an offence under this Act or from being liable under any law to any higher punishment or penalty than that provided by this Act.

Procedure when offender not known or cannot be found: When the offender is not known or cannot be found any officer authorized in this behalf may, if he, finds that an offence has been committed, confiscate the property used in the commission of the offence.

Court: No Court inferior to that of a Magistrate 1st Class or special Magistrate for trying the cases committed under this Act may set up mobile court and when necessary.

Power to arrest: (1) Any officer or any other person authorized in this behalf may, without order from a Magistrate and without warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any offence under this Act.

(2) Every officer making an arrest under this section shall without unnecessary delay and subject to the provisions of this Act as to release on bail, take or send the person arrested before the Magistrate having jurisdiction in the case of the officer in charge of the nearest police station.

Power to replace on Bond of a person arrested: Any officer not below the rank of Wildlife Ranger or equivalent rank who has arrested any person under the provisions of section 37 may release such person on his excusing a bond to appear, if and

such person on his excusing a bound to appear, if an when so retuned, before the Magistrate having jurisdiction in the case or before the officer in charge of the nearest police station.

**Power to prevent Commission of Offence:** Every Officer or any other person authorized in this behalf shall prevent and may interfere for the purpose of preventing the commission of any offence.

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VOLUME IV: 1974-1977

Power to try offence summarily.- (1) The Government may, by notification in the official Gazette, empower an officer-

(a) To accept from any person against whom a reasonable suspicion exists that he has committed any offence, a sum of money by way of compensation for the offence which such person is suspected to have committed, and

(b) When any property has been seized as liable to confiscation to replace the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money, or such value or both as the case may be, to such officer, the suspected person if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceedings shall be taken against person or property.

(3) The sum of money accepted as Compensation under clause;

(a) Of sub-section (1) shall in no case exceed the sum of five hundred rupees.

(4) No officer shall have power to compound a second and subsequent offence under this Act.

Power to compound offence.- (1) The Government may, by notification in the official Gazette, empower an officer--

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any offence, a sum of money by way of compensation for the offence which such person is suspected to have committed; and

(b) When any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money, or such value or both as the case may be, to such officer, the suspected person if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceedings shall be taken against such person or property.

(3) The sum of money accepted as compensation under clause (a) of sub-section (1) shall in no case exceed the sum of five hundred rupees.



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VOLUME IV: 1974-1977

(4) No officer shall have power to compound a second and subsequently offence under this Act.

Government may invest officers with certain powers: The Government may invest any officer or any other person authorized in this behalf with all or any of the following powers, that is;

(a) The powers of a civil court to compel the attendance of witness and the production of documents and material objects;

(b) Power to issue a search warrant under the Code of

Criminal Procedure, 1898.

(c) Power to hold an inquiry into offence under this Act and in the course inquiry to receive and record evidence; and

(d) Power to prosecute a case before a Magistrate.

Officer under this Act deemed Public Servants: All officers under this Act shall be deemed to be public servants within the meaning of Azad Penal Code.

Protection of action taken under this Act: No suit, prosecution or other legal proceedings shall lie against any officer for any thing in good faith done or intended to be done pursuance of any provisions of this Act or the rules made there under.

Duty of Police Officer: All police officer shall upon request made by any person employed under this Act, assist him in the discharge of his duties under this Act.

Delegation of powers by the Government: The Government may, by notification in the official Gazette delegate all or any of the powers conferred upon it under the provision of this Act to any officer subordinate to it.

Rules when to have force of Law: All rules made by the Government under this Act shall be published in the official Gazette, and shall there upon so far as they are consistent with this Act, have effect as if enacted therein.

Power to Grant Exemption: Notwithstanding any thing contained in this Act Government may, in the interest of scientific or any public purpose, allowance by notification in the official gazette killing and capturing of such wild animal in any specified place by any specified means.

54.

55.

56.

**VOLUME IV: 1974-1977**

Power to add or exclude form Schedule: Government may by notification, in respect to any specified area—

(i) Add to or exclude from the Schedule any wild bird or animal, subject to such conditions as it may impose in each case.

(ii) Alter the period during which any wild bird or animal specified in the First Schedule may be killed.

Power to make Rules: (1) The Government may, make rules for the purposes of carrying into effect the provision of this Act.

(2) In particular and without prejudice to the generality of the forging power, such rules, may prescribe—

(a) The powers and duties of the officers and other person authorized in this behalf;

(b) The from in which, and the terms and conditions on which, a licence or an permit or a special licence or a special permit may be granted;

(c) The fees to be charged for any licence or permit or a special licence or special permit.

(d) In the case of any species of wild animal the number and the sex that may be killed under a licence.

(e) Rewards to person who render help in detection of offences under this Act;

(f) The authorities by whom, and the condition on, and the manner in which, licence may be issued or obtained, as the case may be;

(g) For the management and crecreation of wild life sanctuaries, National Parks an Game Reserve.

(h) The sale of arms and ammunition.

Repeal an savings: (1) The Jammu and Kashmir Game preservation Act of 1998 Bikermi is hereby repealed.

(2) Notwithstanding the repeal of the enactment, emoted on sub-section (1), every thing done, action taken, obliging, liability, penalty or punishment, incurred, inquiry or proceeding

commenced, officer appointed or person authored, jurisdiction or power conferred, rules made and licence or order issued under

533

the provision of the said enactment or rule made there under shall continue enforce and, so far as may be, deemed to have been respectively done, taken incurred, commenced appointed, authorized, conferred, made or issued under this Act and any enactment or document referring to any of the said provision shall, as far as may be constructed to refer to this Act to the corresponding provision thereof.

SD/ (Mohammad Akram Shah)  
Deputy Secretary Law and  
Parliamentary Affairs Secretariat  
Azad Government of the State of

**FIRST SCHEDULE**

Game Animals, i.e. Animals which may only be Hunted. Killed or captured by the Holder of License Part I (Animals which may be Hunted on an Ordinary Game Hunting License)

Jammu and Kashmir

**Column I Column II Column III**

Name of Animal Number Time and season when  
Allowed Hunting permitted.

Scientific English Local

Anatidae, Ducks Lesser Silahi Unlimited 1"

Dendrocygna Whistling but not more October

Javanica Teal than eight to 1\*

Large Barna Silabi, ducks of all = March

Dendrocygna whistling Teal = Chuka species

bicolor Ruddy Sheld Surkhab, comvined

Tandorna Duck or Chuka, Lal may be

feruginea Brahmmy Surkha killed in any

Duck. Safro Chakwa \_ one day.

Tadorna tadorna Common sfed surkhab,

Anas acuta Sheld Duck Sanh, Sikhpar,

Anas Crecca. Pintail Digosh,

Common Teal

Anas Formosa Kerraputari,

Dikal Teal Sucjuruka

Huraro

Keraputari,

Anas Suchu, uka

platyrhynchos Mallard Burkani

Anas Strepera Gadwall Chaka, Nilsir,

Nilrugi. Mila,

Bhur, Hurwa

Column I

Column II Column II

Anas Penelope

Anas falcate

Anas

querquedula

Anas Clypeata

Netta rufina

Aythya forina

Aythya ayroca

Aythya baeri

Aythya fuligula

Aythya marila

Clangula

Byemalis

Wigeon

Falcated Teal

Gargany

Shoveller

Red crested

pochard

Common

pochard

White eyed

Pochard

Beer's

pochard

Tufied Duck

Scaup

Old squaw,

longrial Duck

Peaan, partarui, Lal Sir Chotiya, Wano

Hurwa.

Chai putari.

Tidari, Punan, Trakwala, Ghira

Lalsir,

Burana, Thurhandao.

Karachiya, Burar Mada,

Lalbigri Budha.



Column I Column II Column III

Bucephalus Goldeneye Kumbara  
clangula Duck Dayali Jhalli

Mer uas abellus Smew

Mergus merga- | Goosander

nser R d-breasted

Megus serrator Merganser

Phaesianidae Dheasants,

Lerwa Lerwa Partridges, Titu, Bhedu, Unlimited 1" Nov. to

Quails, Parahut but not 1" March

Spurfols, more than

Peafowls and Kakki, 5 per day. 1\* Nov. to

Junglefwls Chauklau, -do- 1\* March.

Amoperdax Snow Partridge —Siali

1" Nov. to

Griseogularis Golind, Lip — Not more 1\* March

Seesee than 5 per

Tetregallus partridge Lipva year. Wednesday,

Himalayensis Chukor Sunday and

Snow cook Chukro, Unlimited Gazette

Loctoris graeca Khank, but not Holidays

Charu, more than from 1" Nov

Francloinus Chukor Zarkar. 6 per. to 1\* March.

Francolius -do-

Francolinus

Kala Titar, -do-

Pondicerianus Black Partridge Taru, Karo -do-

Francolius Titar, Kodd

Gularis Tatar.

-do- -do-

Titar, Kyah,

Khyar..

Grey partrige -do-

Kajjah,

Swamp Bhuri Titar.

partridge Gul Titar,

Bicel Titar.

Column I Column II Column III

Coturnix Common Batter, Unlimited by 1 Nov. to 1\*  
Qyall Kurrai not more March  
Bhatri, than 12 of all  
Coturnix species, of  
coromamdelica Rain quail Baster quail  
Coturnix Blue- Curru combined in  
Chinesis breasted any one day.  
Perdicula Quail Lowwa  
argoonda Rock Bush Lowwa  
Perdicular Quail Badkhi,  
Asiatica Jungle Bush Chota  
Turnix Quail Bater  
Syivatica Little Bater,  
Turn x Bustard Lowwa  
Tank Quail  
Turnix Button Gulu  
Suscitator Quail  
Arborophila Common Wednesday  
Bustard Unlimited Sundays and  
Quail Dau Bui. butnotmore Gazetted  
than 5 per holidays from  
Rufogularis day. 1" Nov. to 1\*  
Arborophila Rufous- Pura, San March  
Vafogularis throated Batai -do-  
Gullus Hill Partride -do-  
Junghi None in  
Karghi West Wednesday  
White- Pakistan, Sunday and  
checkted Unlimited, Gazetted  
Hill but not more holidays from  
partridge. than 3 per 1\* Nov. to 1\*  
Red Jaungle day in March.  
fowl

Column I Column II Column III

Otidiae; Houbara Tilor, Unlimited -do-  
Bustards Khermor, but note more  
Almdotis Kar Wanak \_ than 2 per  
Undulate day

1\* Nov. to

Charadriidae White-tailed 1 March  
Plovers Unlimited by  
Sandpipers, Lapwing not more than  
Saipe and other 8 Lapwing of  
waders plovers of all  
Vanellus Lapwing species  
leucoris Grey-headed = Rodhur, combined in

Red Wattled Sabaz Titti any one day.

Lapwing

Venellus Super-winged Papwing  
vanellus Lapwing. Tata, Titeri,  
Venellus! Yellow- Tachar  
Cineieus wattled  
Vanellus Lapwing Zirdi, Jithri  
Indicus Golden plover

Esern Golver Chota  
Vanellns Ploven Batan  
spinosus Sona Batan

Whimberal 1\* Nov to 1\*  
Vanellus Chota March.  
Malabaricus Goumgh, Unlimited  
Pluvialis Chota but not more  
apricaria Golind than 2 per  
Pluvialis day.  
dominica  
Numenius  
Phaeopus

Column I Column II Column III

Numenius arquata Cuilew Goar, Goungh, Choppa -do- -do-  
Capella nemoricola Wood Snipe Sada, Kastachura Chaha, Unlimited not more

Sumkiri Julkiri than twelve snipe of -do-

all species

combined in

Capella gallinago Fanail Snipe Pakhi, Jalakri anyone day.

Capella solita ia Solitary Snipe Ban Chaha

Capella stonara Pintail Snipe Pakhi, Jaakri, Kadakoe

Capella minima Jack Snipe Chota Chaba, Asraf Oak

Capella modia Great Snipe Dum Pakhi

Rostratula Painted Snipe Rajchaha Baggergi 1\* Nov. to 1\*

Benghalensis March

Burhinidae; Store

Curlews or stone

Piovers Lambi, Karakwanak, Unlimited but not

Brhinus Stone Cu lew Basirl. more than 2 per -do-

Oedienemus day.

Esacus magnirostris Great Stone plover -do-

Ptoriclidiae

Sandgrouse Lo. st st

. ' : Unlimited but not 1" Nov. to 1

Syrraptes tibetanus Tibetan Sandrouse Nok, Kaling, Kung, more than twelve March

Ptreocles exustus

Pto ocles

Senegalius

Indian Sandgrouse

Spotted Sandgrouse

Bhattar

sandrouse of all,

species combined

in anyone day.

Column I Column IT Column III  
Pterocles Imperial Bhettar Gero  
orientalis Sandgrouse Bakh, Bakh  
Pterocles Cor netted Bhatta, Bal  
corenatus Sandgrouse Harisia, Sina

Close-barred Unlimited,  
Pterocles or Painted Dukru but not more 1 Nov.  
indious Sangrouse than 20 birds to 1\*

ofall species March

Columbidae; in any one  
Pigeons, Green Dawak, day.  
Pigeons and White-breasted Pampaira, Unlimited  
Doves All but not more  
species of than 10 coots  
Pigeons, Green and -do-  
Pigeons and Moorchens  
Doves, other of all species  
than members combined in  
of the genus anyone day.  
Ducula Moorhen Kuraki  
(Imperial -do-  
Pigeons) which  
are protected  
Rallidae: Coots | Moorhen Jal Dakadpairs  
and Moorhens Murghi Kulang, Gajro  
Amaurornis Purple  
Phoenicurus Moorchen, Khushkal,

Kaim Dasari,

Coot Kanrambad All year.  
Gallinura Unlimited,  
chloropus Khargosh but not more  
Porphyrio Cape Hare Khargosh than round 5  
Porphyrio Indian Hare hares ofa 1

Khargosh species  
Fulicula atarta Arabian Here combined in  
anyone day.

Lepus; Hares,  
Lepus capensis  
Lepus  
nigricollis

Lepus arabicus

Column I Column II — Column III

Name of Number Time and season when

Animal Allowed Hunting permitted.

Scientific English Local

*Martes foian* Beech or Store 1\* Nov. to | Wherever

*Marten* 1\* March found except

in National

*Selenarctos* parks, wild

*Thibetanus* 1" July to life

Black Bear (all 1\* Sanctuaries

races except S.T. December or game

*gedrosanus* Rich, reserves.

Which is Bhalu In areas to the

*Felis lybica* protected, and 1" Noy. to north and east

those occurring — Jhang 1\*March of the Kabil

in East Pakistan) Nemo River that the

*Felis chaus* Chief wildlife

Desert cat. Ban Bilar, oe warden may

*Nemorhaedus* Khats time specify

Goral Jungle cat Pij, Pijur, Wherever ,

8 Bai, Bom

*Capra ibex* do in National

*Capra hircus* Goral : -do- parks,

Sair, -do- Wildlife

Sarah, sanctuaries or

Ibex Phasin or Game

Sind Wild Goard — Born Kuh Reserve.

-do-

541

In such area

as the Chief

Wildlife

Warden may

from time to

time specify.

-do-

-do-

-do-

THIRD SCHEDULE

Protected Animals; i.e. Animals which shall not be Hunted, Killed or captured.

- 1.
- 2.

birds:

All Games animals when immature or not fully grown.

All female game animals when:

- a. Pregnant;
- b. In a condition that indicates they are suckling or feeding young;
- c. Accompanied by their immature offspring.

All females of the following species:-

*Nemorhaedus goral*. Goral or Piji, Ban-bakri, Gurrur, Gudh, Sar,

Pijur, Rai, Rom.

*Capra hirous*. Sind wild goat or Ter, Sara, Pashin, Pachin.

*Capra falconer*. (all races) Marrkhor or Rawachi.

*Capra ibex*. Ibex or Trangol, Khail, Dabmo.

*Ovis orientalis*. (all races) Urial or Shapu, Hurian, Shah

Kohi, Koch, Gad, Garand.

All individuals of the following species, genera, families or groups of

All members of the family ARDEIDAD: i.e. all Herons, Night Herons,

Paddy Birds, Egrets or Bitterns,

Spoonbills.

All members of the family PELECANIDAE: ie. all Pelicans.

All members of the family CICONIDAE ie. all storks.

All members of the family THRESKIORNIDAE; i.e. all Ibis;s and

All members of the family PHOENICOPTERIDAE ; i.e. all Greese,

including the Bars headed Goos.

All members of the genus *Cygnus*; i.e. all swans.

The following species of Ducks:-

*Anas angustirostris*. Marbled Teal or Choi, Lanjho, Dudjalri.

*Anas Poecilorhyncha*. Spot — bill Duck, or Garmpai, Gugral, Hamjer.

*Nettapus Coromandelicus*. Cotton Teal or Giri, Girria.

*Oxyura leucecephala*. White-headed Duck or Stiff-tailed Duck, Ud-balau

*Cairinascutulata*. White-winged Wool Duck.

*Sarkidiornis melanotus*. Comb Duck or Nukhta.

*Rhouonessa Caryphyllacea*. Pind headed Duck.

All members of the family ACCIPTRIDAE; i.e. all hawks, Vultures, Kites, Buzzards, Hawk-Eagles, Harriers and Ospreys.

All members of the family FALCONDAE ; i.e. all Falooms, Kestrels, hobbies.

All members of the family PHASIANIDAE ; ie. all pheasanis, partridges quails, spurfowls, Junglefowls and peafowls other than those species in the First Schedule.

All members of the family GRUIDAE ; i.e. all Cranes.

All members of the genus *Heliopais* ; i.e. all Bustards other than the one species specified in the First Schedule.

*Secolopex rusticola*. Woodcock or Simkukri, Jalalkari, Julkari,, Wilaiti Chaha, Bumpal, Dhabba.

*Pterocles alchata*. Large Pin-Tailed Sandgrouse.

All members of the genus *Ducula* ; i.e. all imperial pigeons.

5. All individuals of the following races, species, genera or groups of mammals:-

*Nycticebus coucang*. Slow Loris or Sharmindi Billi, Lajja, Lajjawoti, Babar.

*Mucaca Mulatta villosa*. Himalian Rhesus Monkey (i.e. all Rhesus Monkeys found in West Pakistan) Bandar, Punj, Markat.

*Macaca assamenis*. Assames Macaque a Bandar.

*Macaca irus*. Crab-eating Macaque.

*Macaca speciosa*. Stump-tailed Macaque.

*Presbytis pileatus*. | Capped Langur.

*Presbytis entellus*. Common Langur or Hanuman, Dendos.

*Presbytis obscurus*. Dusky leaf Monkey.

*Hylobates hoolock*. Hoolock or white-Browed Gibbon, Uluk, Mms Crass caudate. Pangolin or Bajra Kit, Bajra, Kapta, Suraj, Mukhli, Silu, Kishaur, Sibi, Mirun, Challa, Kat, Pohu.

*Vulpes cana*. Blanford's Fox.

*Cuon alpinus*. Wild Dog or Dhole, Ramkun, Bank Kutta.

Bhoonsa.

*Melursus ursinus*. Sloth Bear, of Bhalu, Rinch.

*Selenarctos thibetanus*, *gedrosianus*. Baluchistan Black Bear (i.e. all black Bears lound south and west of the Kabul River) Kala Rinch, Bhalu, Haput, Mam.

*Urus arctors*. Brown Bear or Red Bear Barf ka Rinch, Safed Bhalu, Chilla Rinch, Drengmo, Drin, Mor.

*Helarctos malayanus*. Sun Bear or Honey Bear.

*Martes flavigula*. Yellow-throated Mart or Tutturala. Chitrala, Chitrola.

*Vormela peregrina*. Marbled polecat

*Mellivora capensis*. Ratel or Honey Badge, Beju, Gopa, Ghurna.

*Lutra lutra*. Common otter or Laudher, ud-bilaw, pani Kutta, Sagi Ab.

*Lutra perspicillata*. Smmoth Indian Otter of Ludher, Ludra.

*Aonyx cinerias*. Oriental Clawless otter of Ludher.

*Viverra zibetha*. Large Indian Civet, Kettas, Mch Bhondar, Bagdos, Pudu, Gaula

*Viverra indica*. Small Indian Civet or Naundero, Gandogaula, Kasturi.

*Paradoxurus hermaphroditus*. Common paem civet or Toddy Cat, Kakti.

*Paguma larbata*. Himalayan Civet of Masked Palm Civet.

*Arctitis binturong*. Binturong or Bear Cat.

*Felis caraca*. Caracal or Siya-gush, Ech.

*Felis manul*. Pallas's Cat.

*Felis lynx*. Lynx or Patsalan, Phiauku.

*Felis Bengalensis*. Lepard Cat or Chita Billi, ank Bilar.

*Felis viverrina*. Fishing Cat or Mash Billi. Mach Bagral.

*Felis marmorata*. Marbled.

*Felis temmincki*. Golden. *Neofelis nebulosa*. Clouded leopard or amchita,

543

Kung.

*Panthera Tigris*. Tiger or Bagh, Sher, Char.

*Panthera uncial*. Snow leopard or Ounce, Barhel Ne, Lkar.

*Panthera pardus*. Leopard or panther, tendwa Chita, Chita Bagh, Suh.

*Acinonyx jubatus*. Cheetah or Laggar.

*Caprolagus hispidus*. Hispid Hare or Assam Rabbit.

*Callosciurus pygerthrus*. Hoary-bellied Himalayan Squirrel.

*Elephas maximum*. Elephant or Hathi, Gaj.

*Equus hemionus*- Wild ass Ghor Khar, Ghuran Kiang, All members of the general Rhinoceros of Bidemoseros 1.e. all Rhinoceros, Gaimda, Gagadan.

*Moschus moschiferus*- Musk Deer or Kastura, Musch, Bina, Bijri, Ranwhin

*Muntiacus Muntjak*. Barking Deer or Muutjac, Kakar Maya.

*Axis porcinus*. High deer of para.

*Cervus unicolor*. Sambar.

*Cervus duvavceli*. Swmp Deer or Barasingha, Maha.

*Cervus elaphus*. Kashmir Stag or Barasingha, Hangul, Hanglu.

*Bos Ganraus*. Gaur or Blsom, Solni (Including the deral hybrid B.g. frontalis or M than, Gayal).

*Bos banteng*. Banteng of TSaine.

*Gazella gazelle*. Indian Gazelle or Chinkara, Kal punch, Gora Hiran, Chitka Hiran, Chiatica, Buast, Phakela, Area, gambit, Gajar, onashkai.

*Gazella subgutterosa*. Goitred or Persian Gazelle, Pharal Ghazal.

*Buselaphus tragocamelus*. Bluobull or Nilgai, Gond, Bain, Ranjb, Roz, Rojra.

*Tetracerus quadricornis*. Four horned Antilippe or Chowsingha.

*Capricornis sumatrensis*. Serew.

*Nemitragus jemlahicus*. Thar or Kras, Jagla, Tehr, Jbe.

*Capra falconeri jerdoni*. Anief Chialtanesis, straight Horned Races, on Markhor (i.e. Markhor found to the south and West of the North. Waziristan Agency) Sarah, Pachia, Buzkhuhi.

*Pseudeis nayaur*. Blue Sheep or Bharal, Na, Sna, Maitu, GhardWarr.

*Dvis ammon*. Both the race O.a. Polii (Marco Polo's Sheep or Kichan,

Roosh) and the race O.o0. hodgsom (Great Tribeian Sheep or Nayan).

Ovis or-ientalis punjabensis. Punjab Urial (i.e. all) Urial found on the West bank of the River Indus below the junction with the River Kabul) Hurian, Shah Kohli, Koch, Kargad.

Sus sylvanus. Pigmy Hog.

Platanista gangatica. Riv Dolphin or Sus, suswa, susuk, Sishuk, Baualan, Sansar.

All individuals of the following species, general of families of reptiles:-

Grocodilus palustries. Marsh Crocodile or Muggar, Magar Mach.

Cricidukys oirisy, Estuarine Crocodile or Mugger.

Gavialis Gangeticus. Gharial or Soondy Mugger, Sansar.

All snakes of the genus Python i.e. all phytions, Azdha or Arar.

All lizards of the genus Waranus i.e. all montrer Lizards Goah, Bari Chapkali, Ram Gaddi, Sunna Goddi or kala Godi.

All marine turtles of the genera Dermochelys, Chelona Care and Eretomocholys, i.e. All Leatherback, Green or Ebibe, Hawks Bill, Loggerhead and Tortoise shall Turle.