

## **Punjab Wildlife (Protection, Preservation, Conservation And Management) Act, 1974**

**2 of 1974**

**[01 February 1974]**

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**SCHEDULE 4 :-** FOURTH SCHEDULE

**Punjab Wildlife (Protection, Preservation, Conservation And  
Management) Act, 1974**

**2 of 1974**

**[01 February 1974]**

An Act to provide for the protection, preservation, conservation and management of wildlife in the Province of the Punjab Preamble.-  
WHEREAS it is expedient to provide for the protection, preservation, conservation and management of wildlife in the Province of the Punjab, in the manner hereinafter appearing; It is hereby enacted as follows:-

**1. Short Title, Extent And Commencement :-**

- (1) This Act may be called the Punjab Wildlife (Protection, Preservation, Conservation and Management) Act, 1974.
- (2) It extends to the whole of the Province of the Punjab.
- (3) It shall come into force at once and shall be deemed to have taken effect on and from the day the Punjab Ordinances Temporary Enactment Act, 1973 (Punjab Act No. VI of 1973), in so far as it

enacted the provisions of the Punjab Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 1972 (Ordinance No. XXI of 1972), expired.

(4) Nothing hereinafter provided shall be deemed to authorise any person to hunt in the reserved or protected forests as constituted and declared under the provisions of the Forest Act, 1927 (Act XVI of 1927).

## **2. Definitions :-**

In this Act, unless the context otherwise requires, the following words and expressions shall have the meanings hereby respectively assigned to them, that is to say-

(a) "Board" means the Punjab Wildlife Management Board constituted under section 5;

(b) "certificate", "licence", "special licence", "permit" or "special permit" means respectively a certificate, a licence, a special licence, a permit or a special permit granted or issued under this Act;

[2][(bb) "circus" means a collection of wild animal declared as such under section 20;]

(c) "dealer", when used in relation to wild animals, trophies or meat, shall mean 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) sells, purchases or barter any wild animal, its meat or trophy;

(ii) cuts, carves, polishes, preserves, cleans, mounts or otherwise prepares any such animal, trophy or meat, or manufactures any article therefrom;

[3][(cc) "endemic" means wildlife species native to Pakistan;]

[4][(ccc) "exotic" means wildlife species not native to Pakistan;]

[5][(d) "game animal" means a wild animal specified in the First or the Fourth Schedule;]

(e) "game reserve" means any area declared as such under section 18;

(f) "Government" means the Government of the Punjab;

(g) "hunt" means any act directed immediately to the killing or capturing of a wild animal and shall include taking the nest or egg of a wild animal;

(h) "meat" means the fat, blood, flesh or any eatable part of wild animal, whether fresh or preserved;

(i) "national park" means an area declared as such under section 17;

- (j) "offence" means an offence punishable under this Act or any rule made thereunder;
- [6][(k) "officer" means the Chief Wildlife Warden, Director General Wildlife and Parks, Director Wildlife and Parks, Deputy Director Wildlife, Assistant Director Wildlife, District Wildlife Officer, Wildlife Supervisor, Wildlife Inspector, Head Wildlife Watcher and Wildlife Watcher or any other officer appointed to perform any function under this Act;]
- (l) "prescribed" means prescribed by rules;
- (m) "private game reserve" means an area declared as such under section 20;
- [7][(mm) "private wildlife breeding farm" means an area declared as such under section 20;]
- [8] [(mmm) "private wildlife park" means an area declared as such under section 20;]
- (n) "Protected animal" means a wild animal specified in the Third Schedule;
- (o) "rules" means rules made under this Act;
- (p) "Schedule" means Schedule appended to this Act;
- (q) "section" means a section of this Act;
- (r) "trophy" means a dead body or any horn, antler, tooth, tusk, bone, claw, hoof, skin, hair, feather, egg-shell or other durable part of game animal or protected animal whether or not included in a manufactured or processed articles;
- [9][(s) "wild animal" means a wild bird or animal specified in the First, Second, Third and Fourth Schedules;]
- (t) "wildlife" includes organic resources, animals, birds, reptiles, vegetation, soil and water;
- [10][(tt) "wildlife breeding farm" means an area declared as such under section 16-A;]
- [11][(ttt) "wildlife park" means an area declared as such under section 18-A;]
- [12][(tttt) "safari park" means an area declared as such under section 18-A;]
- (u) "wildlife sanctuary" means the area declared as such under section 16; [13][\* \* \*]
- (v) "unprotected animals" means a wild bird or wild animal specified in the Fourth Schedule [14][; and]
- [15][(w) "zoological garden or zoo" means an area declared as such under section 18-A.]

### **3. Appointment Of Officers :-**

Government may determine the number and class of officers including honorary officers to be appointed under this Act; provided that an honorary officer shall hold office for such period as may be specified unless the appointment is revoked earlier by Government.

#### **4. Powers Of An Honorary Officer :-**

An honorary officer appointed under section 3 shall have such powers of an officer as may be prescribed.

#### **5. Constitution Of The Board :-**

(1) Government shall establish a Board to be called the Punjab Wildlife Management Board.

(2) The Board shall be a body corporate having perpetual succession and a common seal with power to acquire and hold property and shall by the said name sue and be sued.

(3) The Board shall consist of-

(a) a Chairman;

(b) a Vice-Chairman; and

(c) such number of members as may be appointed by Government.

(4) Chief Minister of the Punjab shall be the chief [16][wildlife] warden and ex-officio Chairman of the Board.

[17][(5) Minister-in-Charge of the [18][Punjab Wildlife] Department shall be the ex-officio Vice Chairman of the Board.]

(6) A member shall, unless he sooner resigns or is removed by Government, hold office for such term as may be prescribed.

[19][(7) Secretary to Government, Forestry, Wildlife, Fisheries and Tourism Department shall be the ex-officio Secretary of the Board.]

(8) The meetings of the Board shall be held in accordance with such procedure as may be prescribed.

#### **6. Functioning Of The Board :-**

The Board shall act in an advisory capacity and its functions shall be-

(a) to advise about the formulation of policy regarding conservation and development of wildlife and game management in the Province;

(b) to supervise the progress of the development activities in the field of wildlife protection, preservation, conservation, and management and to scrutinize the annual progress report

submitted in this behalf; and

(c) to undertake such other functions as may be prescribed.

## **7. Fund :-**

(1) There shall be a fund to be known as "Board Fund" vested in the Board. The Fund shall be raised and administered in such manner as may be prescribed.

(2) All moneys at the credit of the Board shall be kept in such custody as may be prescribed.

(3) The Board shall maintain complete and accurate books of accounts in such form as may be prescribed.

(4) The accounts of the Board shall be audited in such manner as may be prescribed.

(5) Copies of the audit report shall be sent to the Board.

(6) The Board shall take necessary steps for rectification of an audit objection.

## **8. Returns And Statements :-**

Government may require the Board to furnish Government with any document, return, statement, estimate, information or report regarding any matter under the control of the Board and the Secretary of the Board shall comply with every such requisition.

## **9. Restriction Of Hunting :-**

No person shall:-

[21][(i) hunt any wild animal by means of a set gun, drop spear, deadfall, gun trap, explosive, projectile, bomb, grenade, baited hook, net, snare or any other trap, an automatic or a service weapon or ammunition used by Armed Forces of Pakistan, Police Force or any other force, or by means of any drug or chemical substance, likely to anesthetize, paralyze, stupefy or render incapable any wild animal whether partly or totally through a projectile or otherwise;]

(ii) hunt any protected animal;

(iii) hunt any game animal except under a permit and in accordance with the provisions of this Act or the rules:

Provided that no person shall hunt any game animal other than bird or hare with a shot gun or with non-magnum rifle of 22 calibre or less;

(iv) use or have in his possession any net, snare, bhagwa, poison or

like injurious substance for the purpose of hunting a game animal;  
(v) use vehicle of any type to pursue any game animal or to drive or stampede game animal for any purpose whatsoever;  
(vi) shoot any game animal except wild boar and vermin from any conveyance or from within two hundred yards of the conveyance;  
(vii) hunt with the help of live decoys or call birds except quail;  
(viii) construct or use, for the purpose of hunting any wild animal, any pitfall, game pit, trench or similar excavation, any fence or enclosure, or use bhagwa or any other similar contrivance except duck blinds:

Provided that it shall not be an offence to use-

- (a) 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) any one or more of the aforesaid prohibited methods if the officer authorised in this behalf grants a licence with permission to employ such method; or
- (c) to hunt any unprotected animal;
- (ix) hunt except ducks, wild boars and vermin after sunset and before sunrise; and
- (x) hunt by hiding within two hundred yards of a water hole or salt licks.

#### **10. Prohibition To Employ Hawks And Dogs Without Special Licence :-**

No person shall use hawks for hawking or dogs for coursing the game animals under a licence issued for the purpose under the Act.

#### **11. Animals Found Dead Or Killed Or Caught Unlawfully :-**

Any [22][wild] animal which is found dead or dying or which has been killed or caught otherwise than in accordance with the provisions of this Act and any meat or trophy thereof shall be the property of [23][Government].

#### **12. Certificate Of Lawful Possession :-**

(1) No person shall be in possession of any wild animal unless he be in possession of a certificate of lawful possession granted in respect thereof by the officer authorised in this behalf:

Provided that any person importing any wild animal, trophy or meat of a wild animal of a kind specified in the Second Schedule in

accordance with the provisions of this Act or acquiring such animal, trophy or meat in accordance with the terms of a permit issued under this Act shall apply to the authorised officer for such certificate within thirty days from the date of importing or acquiring the animal, trophy or meat.

(2) The officer authorised in this behalf may mark or register the animal trophy or meat in respect of which a certificate of lawful possession is issued, in the prescribed manner, or he may seize, pending the taking of legal action under this Act, any such animal, trophy or meat which in his opinion has not been legally imported or acquired.

(3) No person shall counterfeit, change or in any way interfere with any mark or registration of animal, trophy or meat for which a certificate of lawful possession has been issued or alter or in any way change a certificate of lawful possession.

### **13. Restriction On Transfer Of Animals, Trophies Or Meat :-**

No person shall receive by gift, purchase or otherwise any animal of a kind specified in the Second Schedule unless he receives at the same time a valid certificate of lawful possession in respect thereof.

### **14. Restriction On Import And Export Of Animals, Trophies Or Meat :-**

(1) No person shall import or attempt to import into the Punjab any wild animal of endemic or exotic species, or any trophy or meat of a kind specified in Second Schedule except under an import permit granted under this Act and if such import be from outside Pakistan except through a customs post of entry and subject to any law relating to control on imports for the time being in force.

(2) No person shall export or attempt to export out of the Punjab any [24][wild] animal, trophy or meat specified in Second Schedule except under an export permit granted under this Act and if such export be to any country outside Pakistan except through a customs post of exit and subject to any law relating to control on export for the time being in force.

(3) Nothing in this section shall apply to any [25][wild] animal, trophy or meat in transit through the Punjab if such animal, trophy or meat-

(i) is accompanied by necessary transit customs documents;

(ii) is entered through a customs post of entry or is scheduled to a customs post of exit; or



(iii) in case of road transport, is either not unloaded from the conveyance on which it is being carried or does not remain unloaded from such conveyance for more than ninety-six hours, or in case of rail or air transport, it does not leave the precincts of the railway station or airport at which it is landed or trans-shipped.

#### **15. Restriction On Dealings In Animals, Trophies Or Meat :-**

(1) No person shall as a profession, trade or business, buy, sell or otherwise deal in wild animals, trophies or meat thereof or process or manufacture goods or articles from such trophies or meat, unless he is in possession of a valid licence, hereinafter called a dealers licence, to do so, issued by an officer authorised in this behalf.

(2) The officer authorised in this behalf may, on payment of such fees as may be prescribed, grant a dealers licence to be valid for one year to any person which shall entitle the licensee to deal in any wild animal, trophy or meat thereof, or any class of wild animals, trophies or meat specified in such licence. Such licence shall be renewable in such manner as may be prescribed.

(3) For the purpose of assessment of fees, dealers may be divided into different classes and a different fees may be prescribed for each class.

(4) The holder of the dealers licence shall maintain such register or record of his dealings in such manner as may be prescribed, and shall produce them for inspection at any reasonable time when called upon to do so.

#### **16. Wildlife Sanctuary :-**

(1) Government may, by notification in the official Gazette, declare any area which is the property of Government or over which Government has proprietary rights to be wildlife sanctuary and may demarcate in such manner as may be prescribed.

(2) The wildlife sanctuary shall be set aside as undisturbed breeding ground for the protection of wildlife and access thereto for public shall, except in accordance with the rules, be prohibited and no exploitation of forest therein shall be allowed except for reducing fire hazards, epidemic or insect attacks or other natural calamities.

(3) No person shall-

(i) enter or reside,

(ii) cultivate any land,

(iii) damage or destroy any vegetation,

- (iv) hunt, kill or capture any wild animal or fire any gun or other firearm within one mile of the boundaries,
  - (v) introduce any exotic species of animal or plant,
  - (vi) introduce any domestic animal or allow it to stray,
  - (vii) cause any fire, or
  - (viii) pollute water,
- in a wildlife sanctuary:

Provided that Government may for specific purposes, as are deemed expedient, authorise the doing of the aforementioned acts [26][other than those mentioned in clause (iv)].

#### **16A. Wildlife Breeding Farm :-**

- (1) The Government may, by notification in the official Gazette, declare any area, which is the property of the Government or over which the Government has the proprietary rights, to be a wildlife breeding farm.
  - (2) The following acts shall be prohibited in the wildlife breeding farm:-
    - (a) hunting, shooting, trapping, killing or capturing of a wild animal;
    - (b) firing or doing any other act which may disturb a wild animal or interfere with the breeding places;
    - (c) felling, tapping, burning or in any manner damaging, destroying, taking, collecting, removing or taking away a plant or tree or leave, fruit or seed therefrom;
    - (d) polluting water flowing in or through the wildlife park;
    - (e) any act of feeding or teasing a wild animal;
    - (f) damaging of any structure;
    - (g) any act of teasing or harassing visitors or otherwise, creating any pandemonium; and
    - (h) any act in violation of any restrictions imposed by the Government:
- Provided that the Government may, for such purposes as it may deem expedient, authorize the doing of the aforementioned prohibited acts except at paras (d), (e), (g), and (h).

#### **17. National Park :-**

- (1) With a view to the protection and preservation of flora and fauna in the natural state, Government may, by notification in the official Gazette, declare any area which is the property of Government or over which Government has proprietary rights to be a national park and may demarcate it in such manner as may be prescribed.
- (2) A national park shall be accessible to public for recreation, education and research subject to such restrictions as Government may impose.
- (3) Provision for access roads to and construction of rest houses, hostels and other buildings in the national park along with amenities for public may be so made and the forest therein shall be so managed and forest produce so obtained as not to impair the

object of the establishment of the national park.

(4) The following acts shall be prohibited in a national park,-

(i) hunting, shooting, trapping, killing or capturing of any wild animal in a national park or within one and a half mile radius of its boundary;

(ii) firing any firearm or doing any other act which may disturb any animal or bird or doing any act which interferes with the breeding places;

(iii) felling, tapping, burning or in any way damaging or destroying, taking, collecting or removing any plant or tree therefrom;

(iv) clearing or breaking up any land for cultivation, mining or for any other purpose; and

(v) polluting water flowing in and through the national park:

Provided that Government may, for specific purposes, as are deemed expedient, authorise the doing of the aforementioned prohibited acts.

### **18. Game Reserve :-**

(1) The Government may declare any area to be a game reserve.

(2) No hunting and shooting of a wild animal shall be allowed in the game reserve, except under a special permit, which may specify the maximum number of game animal that may be killed or captured, the area and duration for which such permit shall be valid:

Provided that the number of occasions on which hunting and shooting may be allowed shall not exceed two in a year.]

### **18A. Wildlife Park, Zoological Garden Or Zoo And Safari Park :-**

(1) The Government may, by notification in the official gazette, declare an area which is the property of the Government or over which the Government has proprietary rights, to be a wildlife park to maintain wild animal in captivity and in a state as close to nature as possible, for the purpose of breeding, re-introduction, recreation and public education.

(2) The Government may, by notification in the official gazette, declare an area which is the property of the Government or over which the Government has proprietary rights, to be a zoological garden or zoo to maintain, breed locally extinct, endangered or threatened species of wild animal for re-introduction, recreation and public education.

(3) The Government may, by notification in the official gazette, declare an enclosed area which is the property of the Government or over which the Government has proprietary rights, to be a safari park in which wild animal shall be kept in the open space for viewing by public from a vehicle driven through.

(4) Wildlife park, safari park or zoological garden or zoo shall be accessible to public for recreation, education and research purposes, subject to such restrictions

as the Government may impose.

(5) Provision for access roads to and construction of cafeteria, motel, laboratory, research centre and any other building in the wildlife park, safari park or zoological garden or zoo alongwith amenities for public may be made for the facilitation of achievement of, and the forest vegetation therein shall be so managed and forest produce so obtained as not to impair the objectives of the establishment of such parks or zoological garden or zoo.

(6) The following acts shall be prohibited in the wildlife park, safari park or zoological garden or zoo:-

(a) hunting, shooting, trapping, killing or capturing of a wild animal;

(b) firing or doing any other act which may disturb a wild animal or interfere with the breeding place of a wild animal;

(c) felling, tapping, burning or in any manner damaging, destroying, taking, collecting, removing or taking away any plant or tree or leave, fruit or seed therefrom;

(d) polluting water flowing in or through the wildlife park, zoological garden or zoo or safari park;

(e) any act of feeding or teasing a wild animal;

(f) damaging of any structure;

(g) any act of teasing or harassing visitor or otherwise, creating any pandemonium; and

(h) any act in violation of any restriction imposed by the Government:

Provided that the Government may for such purposes as it may deem expedient authorize the doing of any of the aforementioned prohibited act except at para (d), (e), (g) and (h).

## **19. Alteration Of Boundaries Of Wildlife Sanctuary, National Park And Game Reserve :-**

Government may, from time to time, by notification in the official Gazette, declare any alteration in the boundaries of wildlife sanctuary, national park, and game reserve established under this Act.

## **20. Private Game Reserve, Wildlife Park And Safari Park :-**

(1) Where the Government is satisfied that-

(a) an area of land has been dedicated by its owner or owners, for the purposes similar to a game reserve, it may, on the application of the owner or the owners, as the case may be, by notification in the official gazette, declare such area to be a private game reserve;

(b) an area of land has been dedicated by its owner or owners, for the purposes similar to a safari park, it may, on the application of the owner or the owners, as the case may be, by notification in the official Gazette, declare such area to be a private safari park;

(c) a collection of wild animal has been kept over an area of land dedicated by its owner or owners, for the purpose of breeding, sale, exchange, recreation, education and research, it may, on the application of the owner or the owners, as the case may be, by notification in the official gazette, declare such area to be a private

wildlife park;

(d) a collection of wild animal has been kept over an area of land dedicated by its owner or owners, for the purpose of breeding, sale and exchange, it may, on the application of the owner or the owners, as the case may be, by notification in the official gazette, declare such area to be a private wildlife breeding farm; and

(e) a collection of wild animal has been dedicated by its owner or owners, for the purpose of exhibition, display and performance at public places, it may, on the application of the owner or the owners, as the case may be, by notification in the official gazette, declare such collection to be a circus.

(2) Hunting and shooting of a wild animal by a person other than the owner shall not be allowed in a private game reserve except with the permission of the owner and in the prescribed manner.

(3) Hunting and shooting of wild animal shall not be allowed in a private wildlife park, private safari park, circus and private wildlife breeding farm.

## **21. Penalties :-**

Whoever contravenes or attempts to contravene:-

(i) any provision of sections 9,10,11,12,13,14,15,20 and 28 shall be punished with imprisonment for a term, which may extend to two years or with fine which shall not be less than ten thousand rupees nor more than fifteen thousand rupees or with both, alongwith confiscation of the weapon and suspension of license or permit for a period of five years;

(ii) any provision of sections 16, 16-A, 17, 18 and 18-A shall be punished with imprisonment for a term which shall not be less than one year nor more than five years or with fine which shall not be less than twenty thousand rupees nor more than thirty thousand rupees or with both, alongwith confiscation of the weapon, vehicle or any other article used in such contravention; and

(iii) any provision of this Act or any rule for the contravention of which no specific penalty is provided shall be punished with imprisonment for a term which may extend to ten months or with fine which may extend to ten thousand rupees or with both.

## **22. Abetment Of An Offence :-**

An abetment of any offence under this Act or the rules made thereunder shall be punishable as the offence.

### **23. Killing Or Capturing In Self-Defence :-**

(1) Notwithstanding any other provision of this Act, it shall not be an offence, if-

(a) any person kills any wild animal by any means in the immediate defence of his own life or that of any other person;

(b) the owner of livestock or his employee kills any wild animal that is doing damage to the livestock by any means within a reasonable distance or where that livestock is grazing or where it is enclosed for the night:

Provided that clause (b) shall not apply to any unlawful cultivation in a national park, wildlife sanctuary and a reserved or protected forest or any livestock unlawfully grazing or herded therein.

(2) The killing under sub-section (1) of wild animals specified in the First and Third Schedules shall be reported to the nearest office established for the purposes of this Act.

(3) The meat or trophy of any wild animal killed in self-defence shall be the property of Government and shall be disposed of as directed by the officer authorised in this behalf.

### **24. Onus Of Proof :-**

When in any proceedings taken under this Act or in consequence of anything done under this Act, a question arises as to whether any wild animal, trophy or meat is the property of [32][Government], such wild animal, trophy or meat shall be presumed to be the property of [33][Government] until the contrary is proved.

### **25. Power To Search Without Warrant :-**

Any officer authorised by Government in this behalf, may search any person, premises, vessel, vehicle, animal, package, receptacle or covering so as to satisfy himself whether or not an offence under this Act has been committed:

Provided that no premises shall be searched under this section except under the authority of a warrant issued by the magistrate having jurisdiction in the area.

### **26. Power To Seizure :-**

Any officer authorised by Government in this behalf, may seize any wild animal, dead or alive, together with any firearm, net, trap, snare, bow, arrow or any vehicle or vessel or anything whatsoever

used or suspected to have been used in the commission of an offence under this Act.

**27. Procedure As To Perishable Property Seized Under Section 26 :-**

Notwithstanding any other provision of this Act, the officer authorised in this behalf may sell any property seized under section 26 which is subject to speedy and natural decay and may, subject to the determination of the rights thereto, deal with the proceeds in such manner as may be prescribed.

**28. Duty To Produce Permit On Demand Made By Any Officer Or Person Authorised In This Behalf :-**

Every person in possession of any wild animal specified in the First and Third Schedule shall produce his certificate of lawful possession on demand made by any officer authorised by Government in this behalf.

**29. Duty Of Coupe Purchaser, Chowkidar, Village Watchman, Etc :-**

Every coupe purchaser of forest produce, lambardar, canal patwari, Public Works Department, daroga, chowkidar, dafadar, village watchman, abdar, zilladar, revenue patwari, qanungo and tehsildar shall be bound, in the absence of reasonable excuse to give to any officer authorised in this behalf by Government, information in respect of any snaring, trapping, netting, unauthorised killing, or any other offence under this Act committed within the limits of his jurisdiction, as soon as the commission of such offence comes to his knowledge.

**30. Procedure When Offender Not Known Or Cannot Be Found :-**

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

**31. Power To Arrest :-**

(1) Any officer authorised in this behalf may, without orders from a

magistrate and without a 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 delay and subject to the provisions of this Act as to release on bond, take or send the person arrested before the magistrate having jurisdiction in the case or before the officer-in-charge of the nearest police station.

### **32. Power To Release On Bond A Person Arrested :-**

Any officer not below the rank of the Game Inspector or of an equivalent rank who has arrested any person under section 31 may release such person on his executing a bond to appear, if and when so required, before the magistrate having jurisdiction in the case or before the officer-in-charge of the nearest police station.

### **33. Power To Prevent Commission Of Offence :-**

Every officer or any other person authorised by Government in this behalf shall be competent to prevent by all lawful means the commission of any offence under this Act.

### **34. Persons Who May Lodge Complaints :-**

Cognizance of any offence under this Act shall not be taken by any court except on the complaint of the officer or any person authorised by Government in this behalf.

### **35. Court Which Is Competent To Take Cognizance Of Offences :-**

No court inferior to that of a Magistrate of the First Class shall take cognizance of and try an offence under this Act.

### **36. Power To Try Offences Summarily :-**

Any Magistrate of the First Class, specially empowered in this behalf by the Government, may try any offence punishable under this Act in a summary manner, as provided in sections 262 to 265 of the Code of Criminal Procedure, 1898:

Provided that sub section (2) of section 262 of the Code of Criminal Procedure, 1898 shall not apply.

### **37. Prosecution Of Offences 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 of commission which constitutes an offence under this Act or from being liable under any other law to any higher punishment or penalty than that provided by this Act.

### **38. Power To Compound Offence :-**

(1) Government may, by notification in the official Gazette, empower an officer-

(a) to accept from any person against whom reasonable suspicion exists that he has committed any offence under this Act, a sum of money by way of compensation for such offence;

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof, as [35][may be prescribed].

(2) On the payment of compensation, such sum of money, or such value of property under sub-section (1) or both, as the case may be, the suspected person if in custody, shall be discharged and the property, if any, seized shall be released and no further proceedings shall be taken against such person or property.

[36][(3) The sum of money accepted as compensation under clause (a) of sub section (1) shall, in no case exceed the sum of ten thousand rupees in first instance and be not less than ten thousand in second instance.]

(4) No officer shall have power to compound a [37][third] and subsequent offence under this Act.

### **39. Government May Invest Officer With Certain Powers :-**

Government may invest any officer or any other person authorised in this behalf with all or any of the following powers, that is to say-

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

(b) the power to hold an inquiry into offences under this Act and in the course of such inquiry to receive and record evidence; and

(c) the power to prosecute a case before a magistrate.

### **40. Officers, Etc. To Be Public Servants :-**

The officers or persons authorised under any provisions of this Act to do a certain thing or act in certain manner shall be deemed to be

public servants within the meaning of the Pakistan Penal Code (Act XLV of 1860).

#### **41. Protection Of Action Taken Under This Act :-**

No suit, prosecution or other legal proceedings shall lie against any officer for anything in good faith done or intended to be done in pursuance of any provision of this Act or the rules made thereunder.

#### **42. Duty Of Police Officer :-**

Every police officer shall, upon request made by any officer or person authorised under this Act, assist him in the due discharge of his duties under this Act.

#### **43. Delegation Of Powers :-**

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

#### **44. Power To Grant Exemption :-**

Notwithstanding anything contained in this Act, Government may, in the interest of any scientific or public purpose, allow, by notification in the official Gazette, hunting and capturing of such wild animals in any specified place by any specific means.

#### **44A. Power Of Sale Or Exchange :-**

Notwithstanding anything contained in this Act, the Government may, for scientific management, allow sale or exchange of wild animal, from any wildlife breeding farm, wildlife park, safari park, zoological garden or zoo.

#### **45. Power To Add To Or Exclude From Schedules :-**

Government may, by notification in the official Gazette, in respect, to any specified area-

- (i) add to or exclude from the Schedules any wild animals, subject to such conditions as it may impose in each case; and
- (ii) alter the period during which any wild animal specified in the First Schedule may be hunt.

#### **46. Power To Make Rules :-**

(1) Government may make rules for the purposes of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for-

(a) the functions and powers of the Board;

(b) the powers and duties of the officers and other persons specially authorised to perform functions under this Act;

(c) the form in which and the terms and conditions, on which a licence, special licence, a permit or a special permit may be granted;

(d) the fees to be charged for any licence or permit or special licence or special permit;

(e) in the case of any species of wild animals the number and the sex that may be killed under special permit;

(f) reward to persons who render help in detection of offences under this Act;

(g) the authorities by whom, the conditions on which, and the manner in which licences may be issued;

(h) the management of wildlife sanctuaries, national parks and game reserves;

(i) tenure of office, resignation and terms and conditions of members of the Board;

(j) the recruitment, tenure of office, terms and conditions of service of the officers and servants of the Board, and other persons;

(k) the delegation of administrative and financial powers to members, Secretary, officers and servants of the Board, and other persons; and

(l) any other matter required under any of the provisions of this Act to be prescribed.

#### **47. Dissolution Of The Board :-**

Government may, by notification in the official Gazette, declare that the Board shall be dissolved on such date and with such consequences as may be specified in the notification.

#### **48. Repeal And Validation :-**

(1) The following enactments in their application to the Province of the Punjab shall be deemed to have been repealed from the date the Punjab Ordinances Temporary Enactment Act, 1973, in so far as it enacted the provisions of the Punjab Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 1972

expired:-

- (a) The Elephant Preservation Act, 1879 (Act No. VI of 1879);
- (b) The Wild Bird and Animal Protection Act, 1912 (Act VIII of 1912); and
- (c) The West Pakistan Wildlife Protection Ordinance, 1959 (West Pakistan Ordinance LVI of 1959).

(2) Everything done, action taken or order made under the Punjab Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 1972 and its provisions as enacted by the Punjab Ordinances Temporary Enactment Act, 1973 on or after 25th October, 1972 and before the commencement of this Act shall be deemed to have been validly done, taken or made.

#### **49. Repeal Of Punjab Ordinance No. Xx Of 1973 :-**

The Punjab Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 1973 (Punjab Ordinance No. XX of 1973), is hereby repealed.

##### SCHEDULE 1

##### FIRST SCHEDULE

[See SECTION 2 (d)]

<b>Name of species</b>	<b>Bag limit or number allowed per gun</b>	<b>Time and season when hunting permitted</b>
Category one-		
1. All the ducks within the family anatidae, including the tree ducks, diving ducks, surface feeding and shield ducks, except those ducks listed under the Third Schedule as protected or listed hereunder in the First Schedule.	Not more than ten ducks of all species per day.	1st October to 31st March.
2. Ruddy Sheld-duck or Brahminy duck, Tadorna Ferruginea.	Not more than two of each of these three species per day.	Ditto
3. Redcrested pochard, Netta rufina		
4. Cotton Teal, Nettapus coromandelianus.		
Category two-		
5. Bar headed Geese Anser Indicus	Three only per day	1st October to 1st March.
6. Lesser white fronted geese Anser ibifors.	Ditto	Ditto.
Category three- Snipe, Plovers, Waders and Allied Waterfowl.		
7. Fantail Snipe. Capella gallinago.	Eight only per day	1st Oct. to 1st

7. Common Snipe, Capensis gambagei.	Eight only per day	1st Oct. to 1st March.
8. Jack Snipe, Capella minima	Ditto.	Ditto.
9. Purple Moor hen Porphyrio porphyrio.	Two only per day	Ditto.
10. Moorhen, Galinula, chloropus	Four only per day	Ditto.
11. Coot, Fulica, atra	Twelve only per day	1st Oct. to 1st March.
12. White Tailed Lapwing, Vanellus leucurus.	Two only per day	Ditto.
13. Red Wattled Lapwing, Vanellus indicus.	Ditto	Ditto.
14. Gray plover or Black Bellied Plover pluvialis, squata rola.	Ditto	Ditto.
15. Curlew Numenius, arguata	Ditto	Ditto.
16. Black Tailed godwit, Limosa Limosa.	Six only per day of all species of waders listed below.	Ditto.
17. Common Redshank, Tringa totanus.	Ditto	Ditto.
18. Marsh Sandpiper, Tringa Stagnatilis.	Ditto	Ditto.
19. Green Shank, Tringa nebularia	Ditto	Ditto.
20. Wood Sandpiper, Tringa glareola	Ditto	Ditto.
21. Dunlin Calidris alpinus	Ditto	Ditto.
22. Curlew Sandpiper Calidris testaceus	Ditto	Ditto.
Category Four–		
23. All cranes of family Gruidae including Demoiselle and common cranes except Artic crane.	Three birds per day	15th August to 15th April.
Category Five– Gallinaceus Birds–		
24. Himalayan Snow cock or Ram Chukor Tetraogallus himaal-yansis.	Not more than one per day.	1st October to 1st March.
25. Chukor Partridge, Alectoris, graeca	Not more than five per day	1st November to 1st March.
26. See See, Ammoperdix griseo-gularis	Ditto	1st November to 1st March.
27. Black Partridge, Francolinus	Not more than six per day	15th November to 15th January on Sundays only.
28. Grey Partridge, Francolinus Pondicerianus.	Not more than six per day	15th November to 15th January on Sundays only.
29. Common Quail, coturnix cotrunix	No limit	15th August to 15th April.
30. Black Breasted or Rain Quail	Not more than six	1st August to 30th

Category six– Pigeons and Doves–	per day	September.
31. Green Pigeon or Fruit Pigeon <i>Columba aenea</i> .	Six only per day	1st October to 1st March.
32. Blue Rock Pigeon, <i>Columba livia</i>	No limit	Ditto.
33. Wood Pigeon <i>Columba Palumbus</i>	Two only per day	Ditto.
34. Rufous Turtle Dove <i>Strepto-pelia orientalis</i> .	Six only per day	Ditto.
35. Common Ring Dove <i>Strepro-pelia decaocto</i> .	No limit	Ditto.
36. Little Brown Dove or Senegal Dove <i>Streptopelia senega-lensis</i> .	Six only per day	Ditto.
37. Long Tail persian Dove	Ditto	Ditto.
38. Turtle Dove <i>Turtur auritus</i>	Two only per day	Ditto.
Category seven– Sandgrouse, Bustards and Stone Curlews–		
39 Spotted Sandgrouse <i>Pterocles senegallus</i> .	Eight only per day	1st October to 1st March.
40. Imperial Sandgrouse, <i>Petrocles orientalis</i> .	Ditto	Ditto.
41. Coronetted Sandgrouse <i>Petrocles coronatus</i> .	Ditto	Ditto.
42. Houbara Bustard or Mcqueens Bustard <i>chlamydotis undulata</i> .	Three only per day	1st November to 1st March.
43. Stone Curlew <i>Burhinus Oedinnemus</i> .	Ditto	Ditto.
44. Indian Courser <i>Cursorius Coromandelicus</i> .	Two only per day	Ditto.
45. Jorrden Courser	Ditto	Ditto.
Category eight– Birds of Prey–		
46. Hawks	Three birds per day	1st November to 1st March.
47. Buzzards	Ditto	Ditto.
48. Harrier	Ditto	Ditto.
49. Falcons	Ditto	Ditto.
	B–MAMMALS	
50. Desert Hare <i>Lepus nigri collisdayanus</i> .	Three per day	1st September to 1st March.
51. Cape Hare <i>Lepus capensis</i>	Ditto	Ditto.
52. Fishing cat, <i>Felis viverrina</i>	Unlimited	All year round.
53. Jungle cat <i>Felis chous</i>	Ditto	Ditto.

## PART II

Wild Animals for the hunting of which a special permit is required.

[See CLAUSE (iii) OF SECTION 9]

	Season when	Localities where
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<b>Serial No.</b>	<b>Name of species</b>	<b>Season when hunting is permitted.</b>	<b>Localities where hunting is permitted.</b>
1.	Nill gai or Blue bull Bosela phus Tragocamelus	1st December to 31st May	In specified area except National parks and Game sanctuaries.
2.	Urial Ovis orientalis	Ditto	Ditto.

## SCHEDULE 2

### SECOND SCHEDULE

[See SECTION 12 (2)]

Animals, trophies or meat for the possession, transfer or export of which certificate of lawful possession is required.

(1) Any live game animal.

(2) Any trophy or meat derived from a game animal.

(3) Trophy of any animal in the Third Schedule and of any animal protected by any other Province of Pakistan.

## SCHEDULE 3

### THIRD SCHEDULE

[See SECTION 2 (n) AND 9 (ii)]

Wild birds and animals protected throughout the year.

#### A-BIRDS

Category one-

The following ducks:

1. Lesser Whistling Teal, *Dendrocygna Javanica*.

2. Greater Whistling Teal, *Dendrocygna bicolor*.

3. Common Shelduck, *Tadorna tadorna*.

4. Marbled Teal, *Anas angustirostra*.

5. Baikal Teal, *Anas formosa*.

6. Falcated Teal, *Anas falcata*.

7. Golden Eyed Duck, *Bucephala clangula*.

A-BIRDS-contd.

8. Long Tailed Duck, *Clangula hyemalis*.

9. Smew, *Mergue albellus*.

10. Nukhta or Comb Duck, *Sarkindiornis melanotos*.

11. Goosander, *Mergus merganser*.

12. Red Breasted Merganser, *Mergus serrator*.

13. Spotbilled Duck, *Anas pocilorhyncha*.

14. White Headed or Stiff tailed Duck, *Oxyura leucocephala*.

Category two-

15. All Swans of the genus *cygnus* including Mute Swans, whooper and Bewicks swans.

Category three-

16. Grey Leg Geese, *Anser anser*

Category four-

17. Artic crane.

Category five-

18. All Pelicans of the genus *pelecanus* including rosy, Dalmation and Spotted billed pelicans.

Category six-

19. All Egrets, Herons, Night Herons and Bitterns of the family of Ardeidae including purple and Grey herons, Little Chestnut and Common Bitterns, Cattle Egrets, Large Egrets.

Category seven-

20. All Storks of the family Ciconiidae including painted, Black Necked, White and Black and White Necked Storks.

Category eight-

21. All Ibises and Spoonbills including the Glossy Ibis, White Ibis and Spoonbill.

Category nine-

22. All Flamingoes of the genus *phoenicopterus*.

A-BIRDS-contd.

Category ten-

23. All Hill Pheasants including the Kalij, Kekiass-Cheer, Impeyan and Western Horned Tragopan.

24. Button Quail, *Trunix tanki*.

25. Little Bustard Quail, *Turning sylvatica*.

Category eleven-

The following species of Plovers, Stone-Curlews Waders, Water Birds and Gallinules:

26. Water Rail, *Rallus aquatious*.

27. White Breasted Waterhen, *Amaurornis phoenicurus*.

28. Water Cock, *Gallicrex cinerea*.

29. Pheasant Tailed Jacana, *Hydrophasianus chirurgus*.

30. Sociable Lapwing, *Vanellus gregariues*

31. Green plover or Peewit, *Vanellus vanellus*.

32. Yellow-wattled Lapwing, *Vanellus malabaricus*.

33. Solitary Snipe, *Capella solitaria*.

34. Painted Snipe, *Rostratula benghalensis*.

35. Wood Cock, *Scolopox rusticola*.

36. Avocet, *Recurvirostra, avosetta*.

37. Great Stone Plover, *Esacus magnirostris*.

38. Cream coloured courser, *Cursorius cursor*.

Category twelve-

The following Sandgrouse, Bustards and Doves:-

39. Large pintail Sandgrouses, *Pterocles alchata*.

40. Great Indian Bustard, *Choriotis nigricepes*.

41. Little Bustard, *Otis tetrax*.

42. Indian Sangrouse, *Pterocles exustus*.

43. Close Barred or painted, Sandgrouse *Pterocle indicus*.

44. Red turtle Dove, *Streptopelia tranquebarica*.

45. Spotted Dove, *Streptopelia chinensis*.

A-BIRDS-contd.

46. Wedge Tailed Green pigeon, *Trerion sphenura*,

47. Ruff, Reaf, Jukkari (wood cock) *Scolopax Rusticola*.

Category thirteen-

Following birds of prey:-

48. Eagles, Vultures, Kites.

Category fourteen-

49. Common Starling and Rosy Starling.

B-MAMMALS

Category one-



50. The Black Bear-Selenarctos thibetanus.
  51. Leopard or panther-Pantherx pardus.
  52. Leopard Cat-Felis benghalsnsis.
  53. Desert Cat-Felis libyca.
  54. Caracal-Felis caracal.
  55. Himalayan Palm Civet-Paguma larvata.
  56. Small Indian Civet-Viverricula Indica.
  57. Yellow-Throated Marten-Martes Flavigula.
  58. Ratel or Honey Badger-Mellivora capensis.
  59. Smooth Coated Otter-Lutra prespicillata.
  60. Striped Hyaena-Hyaena hyaena.
  61. Rhesus Monkey-Macaca mulatta.
  62. Hill Fox-Vulpes Vulpes griffithi.
- Category two-
63. Barking Deer-Muntiacus muntjac.
  64. Hog Deer-Axisporcinus.
  65. Chittal or Spotted Deer-Axis Axis.
  66. Chinkara Gazelle-Gazella Gazella.
  67. Black Buck-Antelope cervicapra.
  68. Goral-Naemorhedus goral.
  69. Indus Dolphin-Platanista indi.

B-MAMMALS-contd.

Category three-

70. All monitor Lizards of the Genus Varanus and Spiny tailed lizards of the Genus Uromastyx.
71. All Snakes of the family colubridae containing non-poisonous and beneficial rat Snakes and the Genus Python.
72. All Crocodiles including Mugger, Crocodilus palustris and the fish Eating Crocodile, Gavialis gangeticus.

#### SCHEDULE 4

#### FOURTH SCHEDULE

#### SCHEDULE OF WILD BIRDS AND ANIMALS WHICH ARE NOT PROTECTED

[See SECTION 2 (v)]

Serial No.	Scientific Name	English Name	Vernacular Name
1.	Corvus Levallanti	The Himalayan Jungle Crow.	Kowa, Kowwa, Kan, Pahari kowa.
2.	Corvus splendens	The House Crow	Kan, kowa, desi kan.
3.	Psittaoula eupatria	The Large Indian Paraquet	Tota, Raitota.
4.	Psittacula krameri	The Rospingen Paraquer	
5.	Caprimulgus europasus unwivi	Himalaya	Chippak, Chappa, Dab Chiri, Dabhak, Andha Chirya.
6.	Caprimulgus Macrurus albtatus.	Idight Jar.	Chupka.
7.	Caprimulgus	Indian Jungle Night	Kanoo.

No.	Scientific Name of the Animal	Common Name of the Animal	Local Name of the Animal
8.	Lynocornis carniciceps	Great horned Night Jar	Sandhya muznaki.
9.	Viduae	Munias	Lalmunias.
10.	Ploecinae	Weaver Birds	Baya, Bijra, etc.
11.	Herpestes auropunctatus	The Small Indian Mongoose.	Neol, Nyul, Naola, Dhor.
12.	Herpestes Mungo	The Common Indian Mongoose.	
13.	Herpestes smithi	The Ruddy Mongoose	
14.	Canis pallipes	The Indian Wolf	Gurg, Bhariya.
15.	Canis Lupus	The Wolf	Bhagya.
16.	Canis aureus	The Jackal	Giddaryal, phival.
17.	Pteropus medius	The Indian Fruit Bat	Badur, arbagual, chugmidd, dultakao.
18.	Hystrix bucura	The Indian Porcupine	Syal, Sa Kundewalli.
19.	Mus (whole family)	Rats and mice	Chuha, Chuhi.
20.	Sciurus indicus	The Squirrel	Galarhi.
21.	Sus scrofa	The Wild bear	Suhar, barla janwar.