

Rajasthan Wild Animals And Birds Protection Act, 1951

13 of 1951

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Rajasthan Wild Animals And Birds Protection Act, 1951

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(Made by his Highness the Rajpramukh on the 23rd day of April, 1951). An Act to provide for the protection and preservation of wild animals and birds in [the State of Rajasthan]; Whereas it is expedient to provide for the protection and preservation of wild animals and birds in the [State of Rajasthan] It is hereby enacted as follows

1. Short title, extent and commencement :-

(1) This Act may be called the Rajasthan Wild Animals and Birds Protection Act, 1951. (2) [It extends to the whole of the State of Rajasthan] (3) It shall come into force on such date as ||the State Government] may, by notification in the [ficial Gazette] appoint. NOTIFICATION No. F. 8(4) For/52. dt.August 12, 1952.-- In exercise of the power conferred by sub-section (3) of section 1 of the Rajasthan Wild Animals and Birds Protection Act, 1951, the Government of Rajasthan is pleased to appoint August 15, 1952, as the date on which the said Act, shall come into force. [Pub. in Raj. Gaz. Vol. 4 No. 85 dated 16.8-1952 page 452.]

2. Definition :-

In this Act, unless there is anything repugnant in the subject or context,-- (i) @[XXX] (ii) Licence means a licence issued under or in pursuance of this Act or the rules made thereunder; (iii) "Prescribed" means prescribed by rules made under this Act; and (iv) Reserved Area in relation to any class of wild animals or wild birds, means any area in State of Rajasthan] specified under or in pursuance of section 5 to be the area in which the hunting, shooting netting, trapping, snaring, capture or killing of such animals or birds is for the time being, prohibited whether the same be a reserved or protected forest or other area.

3. Application of Act :-

The [Stovernment] may, by notification in the || ficazette] from time to time, specify the wild animals and wild birds to which the provisions of this Act shall for the time being apply.

4. Close time :-

(I) The [State Goent] may, by notification in the || [Ofial Ge] declare the whole year or any part thereof to be a close time throughout the whole or any part of [the State ofajasthan] * Came into force with effect from 15-8-52 vide notification No-F.8 (4) for/52. dated 12-8-52, pub. in the Raj. Gaz., Part-1, Page 452,, dated 16-8-52. Substied by on 4 of the Raj. Act No. 27 of 1957, pub. in the Raj. Gaz., Part IV-A, Extraordinary, dated 13-8-1957. @ Substituted and omitted by item No. 14 of the Schedule-- ibid. This Act now extends to the whole of the State of Rajasthan including Abu, Ajmer and Sunel areas with effect from 1-9-1957, i.e. the date enforcement of the Raj, Act No. 27 of 1957. for any kind of wild animals or wild birds or for female immature animals Or birds of such kinds and, subject to the provisions hereinafter contained, it shall during such close-time and within the area specified in the notification be unlawful-- (a) to hunt or shoot such animal or bird, or (b) to net, trap, snare or capture such animal or bird, or (c) to kill any such animal or bird which has not been captured be fore the commencement of such close time, or (d) to sell or buy, or offer to sell or buy or to possess any such animal or bird which has not been captured before the commencement of such close time, or (e) to sell or buy, or offer to sell or buy, or to possess the flesh of any such animal or bird which has not been killed before the commencement of such close-time: Provided that in all cases in which a person is accused or having sold or exposed for sale any such animal or bird or the flesh thereof it shall be

presumed that the animal or bird was netted, trapped, snared, captured or killed as the case may be, after the commencement of the close-time unless the contrary is proved. (2) If any plumage, hair or skin has been taken away from any animal or bird which has been netted, trapped, snared, captured or killed during the close-time declared under sub-section (1), it shall be unlawful to sell or buy, or offer to sell or buy, or to possess, such plumage, hair or skin. NOTIFICATION No. F. 39(2) For/54, dated November 29, 1958.-- In exercise of the powers conferred by sections 3 and 4 of the Rajasthan Wild Animals and Birds Protection Act, 1951 (Act XIII of 1951), the Government of Rajasthan is hereby pleased to specify in the column I of the Schedule below the Wild Animals and Wild Birds to which the provisions of the said Act shall apply with effect from the date of publication of this notification in the Rajasthan Gazette and further to declare that in respect of them the close lime shall be the period respectively shown against each column No. 4 thereof throughout the whole of Rajasthan

S.No.	English name	Hindustani name	Close period.
1	Game Birds.		
1.	Bustard--	(a) Great Indian	Whole year,
		(b) Lesser Tilore.	1 st April to 30th Sept.

1. Pub.in Raj. Gaz, Part I-B dated 6-2-1958 at page 1049.

5. Power to declare reserved area :-

(1) The [State Government} may by notification in the 1[Official Gazette], declare any area in 1[the State of Rajasthan] to be a reserved area for the purposes of this Act. (2) Throughout every such area. it shall be unlawful to hunt, shoot, net, trap, snare, capture or kill any kind of wild animals or wild birds at any time of the year. NOTIFICATION Miscellaneous No, F. 39(2) For/55, dated 11-7-1955.-- In exercise of the powers conferred under section 5 of the Rajasthan Wild Animals and Birds Protection Act, 1951, the Rajpramukh is pleased to declare the following areas the boundaries of which are described in Schedule A attached hereto, as Reserved Areas wherein it shall be unlawful to hunt, shoot, net, trap, snare, capture or kill any kind of wild animals and birds at any time of the year. (1) Jaisamand, (2) Sawai Madhopur, (3) Sariska, (4) Darrah, (5) Dholpur (Ramsagar, Ban Bihar and Kesarbagh). SCHEDULE A Jai Samand. East:--Gandhi village and Jaisamand Bund. West:-- Jadiana and Piladhar village. North:-- Nandvi. Advas, Guda, Dayana and Juni Jhar villages. South:-- Ghandaji-ka Gara, and Nehudi, Bambuda viran, Ghator, Veerpur and Ghatpur villages. Sawai Madhopur, East:-- Sawai Madhopur-Khandar Road. West:--

Mor Doongri and Mansarowar. North:-- Chindali forests. South:-- Gosadan, Indala. Sariska East:-- Kalighat Tehla Road. West:-- Thana Gazi, Amra-ka-Bas, Mala Dohar. North:-- Indok, Karna-ka-Bas Protected Zamindar forests. South:-- Dabkan, Reserved forests Darrah, East:-- The Abu and Kali Sindh-rivers. West:-- The Chambal river. North:-- The Mukandwara hill range from the Kalisindh rivers, along Kali- pura, Chandbaori, Baontha and Molso villages. South:-- The Mukandwara hill range from the Chambal to the Kalisindh along Gkantoli & Ghati Jagir villages. 1. Subs. by sec. 4 of the Raj. Act No. 27 of 1957, pub. in the Raj. Gaz., Part IV.A, Exty.. dt. 13-8-1957.

6. Licenses :-

Where the *[Stale Government] is of opinion that such a course is desirable in the interest of scientific research or for the better protection of preservation of crops or other property it may grant to any person a licence subject to such restrictions or conditions as it may impose, entitling the holder thereof to do any act which is by this Act declared to be unlawful.

7. Exemptions :-

(1) Nothing in this Act shall be deemed to apply to the shooting, netting, trapping, snaring, capture or killing of any wild animal or wild bird to which this Act applies for the time being by any person in defence of himself or any other person or in bona fide defend or property. (2) The *[State Government] may, also by general or special order, exempt wholly or partly, any person or class of persons from all or any of the provisions of this Act and the rules made thereunder.

8. Penalties :-

(1) Whoever does, or attempts to do, or abets the doing, of, any act in contravention of the provisions of this Act and the rules made thereunder: (a) if it be a bird, with simple imprisonment for a term which may extend to fifteen days or with fine which may extend to fifty rupees or with both, or (b) if it be an animal, with simple imprisonment for a term which may extend to one month or with fine which may extend to one hundred rupees or with both, or (c) if any such act is committed, or is abetted, or attempted to be committed, in any reserved area, with simple imprisonment for a term which may extend to three months or with fine which may extend to two hundred rupees or with both, or (d) if any such act is committed, or is abetted, or attempted to be committed, in any

reserved area, with simple imprisonment for a term which may extend to three months or with fine which may extend to two hundred rupees or with both. (2) Whoever commits any of the offences under this section at night, shall be punishable with twice the punishment provided in sub-section (1).

9. Enhanced punishment for second or subsequent conviction :-

Whoever, having been previously convicted of an offence under section 8, is again convicted there under of a similar or any other offence, shall, on every subsequent conviction, be punishable with imprisonment of either description for a term which may extend to one year or with fine which may extend to five hundred rupees or with both.

10. Confiscation :-

When, any person is convicted of an offence punishable under section 8 or section 9, the convicting Magistrate may, without prejudice to the provisions of those sections also direct that any wild animal or wild bird or the flesh, plumage, hair, skin, or any other part thereof, in respect of which such offence has been committed, and any net, trap, snare or other article used in the commission thereof shall be forfeited to the *[State Government].

* Substituted by section 4 of the Raj. Act No. 27 of 1957, pub. in the Raj. Gaz. Part IV-A, Extraordinary, dated 13-8-1957.

11. Cognizance of Offences :-

(1) No court inferior to that of a Magistrate of the second class shall try any offence under this Act. (2) Any Police Officer or any other officer or class of officers, authorized in this behalf by *[the State Government] may arrest without warrant any person who has committed or is suspected of having committed any offence under this Act. (3) No court shall take cognizance of any offence under this Act, except on the complaint in writing of a Police Officer or any other officer authorized under sub-section (2) not below such rank as the *[State Government] may prescribe.

12. Power to make rules :-

(i) The *[State Government] may make rules for the purpose of carrying into effect the provisions of this Act. (2) All such rules shall be published in the *[Official Gazette] and shall upon such publication have effect as if enacted in this Act.

13. [x x x] :-

14. [xxx] :-