

# **The Azad Jammu and Kashmir, Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 2011**

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR

Law, Justice, Parliamentary Affairs and Human Rights Department

\*\*\*\*\*

“Muzaffarabad”

Dated: 29-06-2011

No.LD/Legis/640-48/2011. The following Ordinance made by the President on the 22nd day of June, 2011, is hereby published for general information.

[Ordinance XXXIV of 2011]

An Ordinance to provide a law for protection, preservation, conservation and sustainable management of wildlife in the State of Azad Jammu and Kashmir for the purposes hereinafter

WHEREAS, it is expedient to consolidate the laws relating to protection, preservation, conservation and sustainable management of wildlife in Azad Jammu and Kashmir and Promotion of social, economic, cultural and ecological well being of local communities in conformity with the concerns of international community;

AND WHEREAS, it is expedient to spell out role and obligations of government and concessions, rights and obligations of local communities including strengthening the administration of the community organizations to effectively manage wildlife species and their habitat and secure appropriately the goods and services produced from wildlife species and their habitat at the level of local communities and Government while continually improving the productivity of wildlife habitats;

AND WHEREAS, it is necessary to fulfill the obligations envisaged under the biodiversity related Multilateral Environmental Agreements ratified by the Government of Pakistan, through promotion of public awareness for proper appreciation of environmental significance and socio-economic values of wildlife, conservation of biological diversity and realization of its intrinsic and extrinsic values through sustainable use and community participation and empowerment of community, community based organizations and nongovernmental organizations for conservation of biological diversity and their participation in its management for sustainable use;

AND WHEREAS, the Legislative Assembly of Azad Jammu and Kashmir is not in session and President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 41 of Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make and promulgate following ordinance:-

1. Short title, Extent and Commencement.- (1) This Ordinance may be called the Azad Jammu and Kashmir, Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 2011.

(2) It shall extend to whole of the Azad Jammu and Kashmir.

(3) It shall come into force at once and shall be deemed to have taken effect from 22.06.2011.

## Chapter-I

### Preliminary

2. Definitions.- In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings as hereby respectively assigned to them;

(i) "Alien Species" are species, which enter into an 'Ecosystem' and exert harmful influences over other members of the Ecosystem, where their presence is not desirable;

(ii) "Animal" means vertebrates and invertebrates and includes fish, amphibians, reptiles, birds, fish in the wild and mammals and their young, and also includes, in the cases of reptiles and birds, their eggs and nests, but shall not include livestock, poultry and pets;

(iii) "Animal Articles" means an article made from any captive animal or wild animal, and includes an article or object in which the whole or any part of such animal has been used;

(iv) "Big Game Hunting License" means a license issued under this Ordinance or the rules made there-under for shooting and trapping of game animals specified in part IV of the First Schedule;

(v) "Biodiversity or Biological Diversity" means the variability among all living organisms from all sources including inter- alia terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part including diversity within species, between different species and ecosystems;

(vi) "Biodiversity Reserve" means an area being important in term of biodiversity and declared reserved as such under this Ordinance;

(vii) "Biosphere Reserve" means an area declared as Biosphere Reserve under this Ordinance with a view to protect natural physical and biological formations or groups of such formations, which are of outstanding national or global value from the aesthetic or scientific point of view;

(viii) "Board" means the Azad Jammu and Kashmir Wildlife Management Advisory Board, constituted under Section 6 of the Ordinance;

(ix) "Buffer Zone" means an area within or around a protected area, which may act as a transition zone between the core zone and multiple use zone of the protected area with respect to protection and utilization of natural resources therein;

(x) "Captive Breeding Centre" means any centre on private or public land established under this Ordinance for captive breeding of wildlife species;

(xi) "CBD" means the Convention on Biological Diversity (1992) as ratified by the Government of Pakistan, inclusive of its Articles as are amended by the Conference of Parties to the Convention in their meetings from time to time;

(xii) "Certificate, License, Special License, Permit, or Special Permit" means respectively a certificate, a license, a special license, a permit or a special permit granted or issued under this Ordinance;

(xiii) "CITES" means the Convention on International Trade in Endangered Species of Wild Flora and Fauna (1973) as ratified by the Government of Pakistan, inclusive of its Articles and Appendices as are amended by the Conference of Parties to the Convention in their meetings from time to time;

(xiv) "CITES Management Authority" means the authority regulating trade under CITES outside Pakistan both for export and import of animals;

(xv) "Closed Area" means any area declared as closed under this Ordinance for any purpose which is deemed necessary for the betterment of the biological diversity;

(xvi) "CMS" means the Convention on Migratory Species of Wild Animals (1979) ratified by the Government of Pakistan, inclusive of its Articles and Appendices as are amended by the Conference of Parties to the Convention in their meetings from time to time;

(xvii) "Community Managed Game Reserve" means an area declared as Game Reserve under this Ordinance to be managed in collaboration with the community;

(xviii) "Conservancy" means an area designated for the protection both of the land and of its wildlife and their habitat and declared as such under this Ordinance;

(xix) "Core Zone" means that part of a protected area, where any interference is strictly prohibited unless specifically permitted;

(xx) "Cruelty to Animal" means an act directed towards an animal, which is against the natural instinct and behavior of the animal and has negative effect on the health of the animal including overdriving, beating, mutilation, starvation, thirst, and overcrowding or otherwise ill treatment to the animal;

(xxi) "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 person:

(a) Sells, purchases or barter any wild animal, meat, trophy or any derivative of wild animal;

(b) Cuts, carves, polishes, preserves, cleans, mounts or otherwise prepares any such wild animals' trophy or meat or manufactures any articles there from;

(xxii) "Department" refers to a department to whom subjects of Wildlife and Fisheries are assigned and which is constituted as such under Azad Jammu and Kashmir Rules of Business, 1985;

(xxiii) "Exotic" refers to a species, both floral and faunal, which does not occur in an area naturally and is introduced or intended to be introduced from outside of its natural occurrence;

(xxiv) "Ex-situ conservation" means the process of protecting an endangered species of plant or animal by removing it from an unsafe or threatened habitat and placing it under the care of humans;

(xxv) "Farming of Wild animals" means farming of the wildlife species by any person or community authorized by the Wildlife & Fisheries Department.

(xxvi) "Game Animal" means a wild animal specified in the First Schedule of the Ordinance;

(xxvii) "Game Reserve" means any area declared as such under this Ordinance where hunting of specified wild animals is allowed through a predetermined method;

(xxviii) "Genetically Modified Organisms (GMOs)" are the organisms, created as a result of Genetic Engineering;

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

(xxx) "Habitat" means natural environment including biotic and abiotic factors essential for free survival of an animal;

(xxxi) "Honorary Officer" means a person designated from the community or otherwise to work in association with the department for implementation of the provisions of the Ordinance;

(xxxii) "Hunt" means any act directed to the shooting, killing or capturing of an animal and shall include taking the nest or eggs of a wild animal;

(xxxiii) "Indigenous" refers to wildlife species native to a specified area, a country or a region but not introduced;

(xxxiv) "Invasive Species" are the species introduced in a habitat where they outgrow the native species, and may reach a level where they could become a weed or a pest;

(xxxv) "MEAs" means a Multi-lateral Environmental Agreements ratified by Govt. of Pakistan;

(xxxvi) "Meat" means the flesh, fat, blood or any edible part of wild animal, whether fresh or preserved;

(xxxvii) "Multiple Use Zone" means an area within or adjoining a protected area devoted primarily to human use and managed to facilitate maintenance of a broader landscape hospitable to wild species;

(xxxviii) "National Natural Heritage Site" means a designated area where natural, historic and scenic resources combine to form a cohesive, nationally distinct landscape arising from patterns of human activity shaped by geography and declared as such under the Ordinance;

(xxxix) "National Park" means a natural area designated to protect the ecological integrity of one or more ecosystems for present and future generations and declared as such under the Ordinance;

(xl) "Offence" means an act punishable under this Ordinance;

(xli) "Officer" means any person appointed as such under Section 3 of the Ordinance;

(xlii) "Ordinance" means the Azad Jammu and Kashmir, Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 2010;

(xliii) "Outfitters" means any organization or person who facilitates/helps in conducting the trophy hunting process;

(xliv) "Prescribed" means prescribed by the rules made under the Ordinance;

(xlv) "Private Game Reserve" means a privately owned area declared as such under the Ordinance, where hunting of specified wild animals is allowed by a special permit through a pre-determined method of hunting;

(xlvi) "Product" means article, meat, trophy and any other derivatives of wild animal;

(xlvii) "Protected Animal" means a wild animal specified in the Third Schedule of the Ordinance;

(xlviii) "Protected Area" means an area declared as such under Chapter VI of the Ordinance;

(xlix) "Rules" means the rules made under the Ordinance;

(l) "Safari Park" means any park established under the Ordinance;

(li) "Significant Biodiversity" means ecosystems and habitats containing high species diversity, large number of endemic or threatened species, wilderness of social, economic, cultural or scientific importance, or which are unique, representative or associated with key evolutionary or other biological processes. This also includes threatened wild relatives of domesticated or cultivated species of medicinal, agricultural or of other economic value or indicator species of the biological diversity;

(lii) "Site of Special Scientific Interest" means an area encompassing some special scientific importance and declared as such under the Ordinance to be preserved for research and educational purposes;

(liii) "Small Game Hunting License" means a license issued under the Ordinance or the rules made thereunder for shooting and trapping of game animals specified in part I, II, III and IV of the First Schedule;

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

(lv) "Sustainable Use" means the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations;

(lvi) "Trophy" means any dead body or any horn, antler, tooth, tusk, bone, claw, hoof, skin, hair, feather, egg-shell or other durable part of a wild animal whether or not included in a manufactured or processed article; rugs, skins, and specimens of such animals mounted in whole or in part through a process of taxidermy;

(lvii) "Wetland" means area(s) that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, under normal circumstances, a prevalence of vegetation typically adapted for life in saturated soil conditions especially one that forms a habitat for wildlife including swamps, marshes, bogs, lakes, rivers and similar areas;

(lviii) "Wild Animal" means any terrestrial and aquatic creature other than human beings, animals of usually domesticated species or farm fish and includes the eggs of birds and reptiles including wild animals kept or born in captivity;

(lix) "Wildlife" includes wild animals along with their habitat including vegetation, soil, water, organic resources and invertebrates;

(lx) "Wildlife Safari Park" means an area declared as such under the Ordinance for the protection of some special wildlife under captive or semi-captive conditions;

(lxi) "Wildlife Refuge" means a protected area set aside to preserve the habitats of some species of wildlife in which people are allowed to view wildlife in a natural setting;

(lxii) "Wildlife Sanctuary" means an area declared as such under the Ordinance on which hunting, shooting, netting, trapping and otherwise eliminating specified mammalian, birds, fish etc. are prohibited;

(lxiii) "Zoological Garden" or "Zoo" means a place to keep or to house animals of indigenous and exotic species for the purposes of providing recreation or education to the general public, conduct research and to breed locally extinct, endangered or threatened wildlife species for their propagation; and

(lxiv) "Wildlife Museum" means establishment of a museum under the Ordinance for the purposes of demonstration of habitat, wildlife or any other related information in public and private sector.

## Chapter II

### Organization

3. Wildlife and Fisheries Department.- (1) The Wildlife and Fisheries Department shall be responsible to ensure enforcement of the purposes of the Ordinance.

(2) Without prejudice to the generality of the functions hereinafter assigned the Department shall designate/appoint;

(a) an officer (s) of the Department to implement the provisions of the Ordinance; and

(b) any person to be an Honorary Officer under the Ordinance to assist in carrying out the provisions of the Ordinance or may cancel such an appointment.

(3) Except as may otherwise be prescribed, an Honorary Officer shall have the powers conferred by the Ordinance and shall hold office for a period of three years unless his appointment is revoked earlier.

4. Functions of the Department.- The department shall serve as technical and focal organization for the matters relating to wildlife and biodiversity in the State and shall stand mandated to perform following functions, in addition to any assigned to it under any law for the time being in force:-

(i) formulation of policies and regulations for sustainable management of wildlife and biodiversity;

(ii) Enforcement of the policies, legislation and regulations;

(iii) Establish and maintain Protected Areas of various categories including National Parks, Wildlife Sanctuaries, Private or Community Game Reserves;

(iv) Establish and maintain Wildlife/ Safari Parks, Wildlife Refugees, Wildlife Farms, Zoological Garden, wildlife breeding centers etc.;

(v) Maintain and promote the status of wildlife and biodiversity, both with In-situ and Ex-situ conservation measures;

(vi) Prepare, maintain and update wildlife data and state of affairs' reports;

(vii) Carry out conservation, education and awareness regarding wildlife and biodiversity;

(viii) Develop human and other resources for promotion and sustainable management of wildlife and biodiversity;

(ix) Prepare and implement periodic and annual development plans for wildlife and biodiversity;

(x) Assist the government in implementing the biodiversity related Multi-lateral Environmental Treaties and Programs, ratified by the government of Pakistan;

(xi) Maintain and promote working relationship with wildlife and biodiversity related national and international organizations;

(xii) Coordinate with the federal, state and district administration for obtaining their support in conservation and management of wildlife and biodiversity;

(xiii) Promote collaboration with the local communities and other stakeholders in the conservation and management of wildlife and biodiversity;

(xiv) Establish wildlife museums for the purposes of demonstration, education awareness, research etc.; and

(xv) Protection, Conservation and Management of all Protected Areas shall be the sole responsibility of the Department. Any management or protection activities deemed necessary to be done by any other department or organization shall be carried out in coordination with the Department.

5. Wildlife Conservation Fund.- The government may establish a Wildlife Conservation Fund for the purposes of the Ordinance to be managed in a manner as may be prescribed. The sources of this fund inter-alia shall include the sum received as fee, donation from public and private sector, local and foreign donors, the duties and cess levied on the harvesting of resources in the wildlife habitat, and fine imposed by the courts and compensation received as a result of adjudication of wild life offence cases. The fund shall be spent on the conservation of the wildlife particularly high priority species of the State by the Department with the concurrence Finance Department.

6. Wildlife Management Advisory Board.- (1) As soon as possible after the commencement of the Ordinance, the government shall establish a Board consisting of the following members, to be called the Azad Jammu and Kashmir Wildlife Management Advisory Board.

(2) The Board shall perform the functions specified in Section 7 and such other duties as may from time to time assign to it by the government.

(3) The Board shall meet at least once in a year.

(i) Prime Minister	Chairman
(ii) Minister incharge	Vice Chairman
(iii) Secretary of department	Member

(iv) 10-15 members having requisite Member

qualification and relevance to be

nominated by the government.

(v) Director Wildlife and Fisheries shall be the Secretary of the Board.

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

(5) The meeting of the Board shall be held at such times and places as may be prescribed.

7. Functions of the Board.- The Board shall,---



- (i) advise the government on policy matters relating to protection, preservation, conservation, and management of wildlife.
- (ii) assist the department in identification and declaration of new areas as national parks, game sanctuaries or any other category of protected areas.
- (iii) solicit executive political support of the government to enable smooth implementation of legal provisions, policies and functioning of the Department as well.
- (iv) undertake review, from time to time, the progress in the field of wildlife protection, preservation, promotion, conservation and management.

### CHAPTER-III

#### Hunting of Wildlife

8. Game and Protected Wild Animals.- The wild animals specified in the First Schedule shall be known as Game Animals and those specified in the Third Schedule as protected animals. These animals shall not be hunted, killed or captured except as provided in the Ordinance.

9. Restrictions on Hunting.- (1) No person shall;

(i) hunt any wild animal by means of a set-gun, drop spear, deadfall, explosive, gun trap, explosive projectile, bomb, grenade, baited hook, net, snare or any other trap, an automatic, semi-automatic, manual weapon, or a weapon of a caliber used by the Army or Police Force or by means of a projectile containing any drug or chemical substance, likely to anaesthetize, paralyze, stupefy or render incapable an animal whether partly or totally;

(ii) hunt any protected animal;

(iii) hunt any game animal except under a license or permit and in accordance with the provisions of the Ordinance and the rules made there under;

(iv) hunt any game animal other than birds or hares with a shotgun or with non-magnum rifle of 22 calibers or less;

(v) use, or have in possession any net, snare, hook or like devices for the purpose of hunting a game animal;

(vi) use or have in possession any device capable of electrocuting any wild animal or electrifying any part of its habitat including water bodies, roosting and nesting places;

(vii) use or have in possession any poison for killing any wild animal or poisoning its food and water or part of any terrestrial or aquatic habitat;

(viii) use vehicle of any type to pursue any wild animal, or to drive or stampede any wild animal for any purpose whatsoever;

(ix) shoot any game animal from any conveyance or from within two hundred meters of the conveyance;

(x) hunt with the help of decoys or call birds;

(xi) hunt with the help of playback recorded calls;

(xii) 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 of any other similar contrivance;

(xiii) hunt by hiding near a water hole except in the case of waterfowl;

(xiv) hunt near a salt lick;

(xv) hunt before sunrise except in case of waterfowl; and

(xvi) hunt after sunset except in case of live catching of cranes and quails;

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 authorized in this behalf grants, at his discretion, a license with permission to employ such method.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section or abets the commission or furtherance of any such acts shall be punishable with imprisonment, upto one year, or fine which shall not be less than rupees ten thousand and may extend to rupees thirty thousand, or with both, in addition to such compensation as the convicting court may direct to be paid, which shall not be less than the value of the damage assessed by the Department.

(3) In case commission of offence is proved to be followed by award of punishment by the court, all wild animals, tools, implements, carriages, including mechanically propelled vehicles, pack animal, arms, ammunitions and other equipments and conveyances used in the commission or furtherance of an offence shall also be confiscated in favour of the government.

(4) If a woman, is charged for any of the offense under this Ordinance, the court may, after the reasons to be recorded in writing, dispense with her physical presence before the court while permitting her to appear by an agent duly authorized in writing under the signature or thumb-impression of such accused having woman, attested by a respectable person of the area concerned.

10. Game shooting licenses.- Game shooting licenses shall be of the following kinds:---

(i) A small game shooting license which shall subject to the provisions of the Ordinance, entitle the holder to hunt and kill the animal specified in column I of Part I of the First Schedule, up to the number specified in column II and subject to the limitations of time and season specified in Column III thereof.

(ii) A big game shooting license which shall subject to the provisions of the Ordinance, entitle the holder to hunt and kill a single individual of the animals specified in column I of Part II of the First Schedule of the kind endorsed on that license, subject to the limitations of season and locality as specified in column II and III thereof.

(iii) The fees chargeable in respect of such licenses 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 Department from time to time and notified by the government.

11. Grant of Game shooting license.- The Wildlife and Fisheries Department or any officer duly authorized by it for the said purpose, not below the grade BPS-17 may grant a game shooting license of a kind specified to any person who before granting such a license shall be required to furnish him proof of the following:---

(i) he is conversant with the provisions of the Ordinance;

(ii) he has access to and is entitled to carry a fire arm of a type suitable for use in hunting the animals for which the license is required; and

(iii) he has adequate skill in the use of fire arms.

12. Obligation to maintain a Register and return License.- (1) Any person who has been granted a game shooting license shall:---

(i) carry it on his person when hunting;

(ii) keep a register in the prescribed form;

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

(iv) produce his license or register for inspection at any reasonable time on being called upon to do so; and

(v) return his register and the game shooting license to which it refers to Wildlife and Fisheries Department, on the expiry of that license or on his leaving the country, whichever is the earlier:---

Provided that a big game shooting license may be retained as proof of lawful possession of the trophies or meat of an animal killed under the license until such time as it has been exchanged for a certificate of lawful possession.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than two months and may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to twenty thousand rupees, or with both.

13. Restriction on number and use of game shooting license.- (1) No person shall hold more than one valid small game shooting license at any time.

(2) The licenses issued under the Ordinance in the form prescribed shall be non transferable and non shareable.

(3) Whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than two months and may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to twenty thousand rupees, or with both.

14. Prohibition against killing or shooting without license.- (1) It shall not be lawful for any person to kill game animal except by shooting under a license or to proceed in search of or shoot or capture game, except under and in accordance with the terms and conditions of his license.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to thirty thousand rupees, or with both, in addition to the value of the wild animal as assessed by the Department.

15. Prohibitions against shooting or capturing in close season.- (1) It shall not be lawful to shoot, kill or capture game animal in the closed season.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to thirty thousand rupees, or with both, in addition to the value of the wild animal as assessed by the Department.

16. Game capture license.- (1) The Wildlife and Fisheries Department may grant to any person, or may refuse without assigning any reason for refusal, a game capture license subject to the condition that before granting such a license he may require the applicant to furnish him a proof of the following particulars that:---

(i) he has adequate experience of the capture and care of wildlife animals;

(ii) the capture animal is required for scientific/research purpose;

(iii) the proposed method of capture is suitable; and

(iv) he has adequate catering and transport facilities at his disposal.

(2) A game capture license 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.

17. Obligations to maintain Register and return License.- Any person who has been granted a game capture license 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 list, in that register within 24 hours of its being caught, or killed or wounded and lost and enter the date of death of any that dies subsequent to being captured;

(iv) return his register and the license to which it refers to the Department within thirty days of the expiry of the license or on his leaving the country, whichever is the earlier; and

(v) whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to thirty thousand rupees, or with both, in addition to the value of the wild animal as assessed by the Department.

18. Restriction on transfer of game capture license.- (1) The game capture license shall not be transferable or shared with any other person except by the bonafide license holder.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to thirty thousand rupees, or with both, in addition to the value of the wild animal as assessed by the Department.

19. Wild Animal to be counted.- Any animal which is killed or wounded and lost, in any circumstances whatsoever, by the holder of a game shooting license or a game capture license shall be counted against Game shooting License or Game capture License as the case may be.

20. Employ hawks and dogs.- (1) No person shall possess or use hawk for hawking or use dog for coursing, pointing and retrieving the game animals except under a permit issued under the Ordinance.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to thirty thousand rupees, or with both, in addition to the value of the wild animal as assessed by the Department.

(3) In case offense is proved to be followed by award of punishment by the court, all animals, tools, implements, carriages, including mechanically propelled vehicles, pack animal, arms, ammunitions and other equipments and conveyances used in the commission or furtherance of an offence shall stand confiscated in favour of the government, in addition to the punishment awarded under this Section.

#### CHAPTER-IV

#### Possession of Wildlife

21. Wild Animals to be the Property of the government.- All wild animals whether indigenous or exotic free ranging or captive, tamed or untamed found within the territorial jurisdiction of the State shall be deemed to be the property of government held in trust from the people of the State.

22. Wild Animals Found Dead or Hunted Unlawfully.- Any wild animal which is found dead or dying or which has been killed, caught or acquired otherwise than in accordance with the provisions of the Ordinance and any meat or animal article or product or trophy thereof shall be the property of the government. The person in possession of such a property shall be bound to handover the possession of such property to the officer authorized under the Ordinance.

23. Certificate of Lawful Possession.- (1) No person shall be in possession of any wild animal, dead or alive, trophy or meat thereof unless he is in possession of a valid Certificate of Lawful Possession granted in respect thereof by the officer authorized in this behalf.

(2) An officer specifically authorized in this behalf may issue, at his discretion, a certificate of lawful possession for the unlawfully acquired wild animals, meat or trophy after realizing value of property and compensation under Section 62 of the Ordinance.

(3) Every person in possession of any wild animal shall produce a Certificate of Lawful Possession on demand made by any officer or any other person authorized by the government in this behalf.

(4) Any person importing any wild animal, trophy or meat of wild animal in accordance with the provisions of the Ordinance, or acquiring such animal, trophy or meat in accordance with the terms of a license or permit issued under the Ordinance, shall obtain such certificate by applying to the authorized officer within thirty days from the date of importing or acquiring the animal, trophy or meat.

(5) The officer authorized in this behalf may mark and register the wild 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 the Ordinance, for any such animal, trophy or meat which in his opinion has not been legally imported or acquired.

(6) No person shall counterfeit, change or in any way interfere with any mark or registration of wild 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.

(a) Any person who is authorized in this behalf for lawful possession of any wild animal may for the purposes of farming of such animal shall keep them in his custody under the special permit issued by the Head of the department. For the trade of such animals produced through farming, he shall pay 20 % of the income to the department to be realized to the Wildlife Development fund. The value of such animal shall be assessed by the department.

(7) Whoever contravenes or fails to comply with the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than two months and

may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to thirty thousand rupees, or with both.

24. Animals Protected in the Laws of other Provinces.- The government may regulate possession of wild animals, their trophies, products and derivatives of species protected in the prescribed manner.

25. Cruelty to Animals.- The officers authorized under Section 4 of this Ordinance shall also be empowered to exercise the powers of officers under "The Prevention of Pakistan Cruelty to Animals Act, 1890 (Act No. XI of 1890)" in so far as it relates to wild animals.

26. Transfer of Animals.- (1) No person shall transfer by gift, sale or otherwise to any other person any wild animal, trophy, meat or any other part of a kind specified in the Second Schedule to the Ordinance unless he is in possession of a valid Certificate of Lawful Possession in respect thereof, and such certificate is endorsed with details of the transaction and given to the transferee at the time of the transfer.

(2) No person shall receive by gift, purchase or otherwise any wild animal, trophy, meat or any other part of a kind specified in Second Schedule to the Ordinance unless he receives at the same time a valid Certificate of Lawful Possession in respect thereof.

(3) Whoever contravenes or fails to comply with the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than one month and may extend to six months, or with fine which shall not be less than rupees five thousand and may extend to ten thousand rupees, or with both in addition to the recovery of value of the wild animal to be assessed by the Department.

## Chapter-V

### Trade and Traffic of Wildlife

27. Restriction on Import and Export of Wild Animals. - (1) No person shall import or attempt to import into the State any wild animal of an indigenous or exotic species, or any trophy, meat or derivative thereof, except under an import permit granted under the Ordinance and if such import be from outside Pakistan except through a customs post of entry and subject to any other national and or international laws and regulations relating to control on imports for the time being in force.

(2) No person shall export or attempt to export out of the State any wild animal of an indigenous or exotic species, or any trophy, meat or derivative thereof, except under an export permit granted under the Ordinance, and if such export be to any country outside Pakistan except through a customs post of exit and subject to any other national and/or international laws and regulations relating to control on export for the time being in force.

(3) Nothing in this Section shall apply to any wild animal, trophy, meat or derivative in transit through the State if such animal, trophy, meat or derivative, is:

(i) accompanied by necessary transit customs documents;

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

(iii) not unloaded from the conveyance on which it is being carried or, in the 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 or does not remain there for more than forty-eight hours; and,

(iv) whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than two months and may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to twenty thousand rupees, or with both in addition to the recovery of value of the wild animal to be assessed by the Wildlife Department:---

Provided that a no objection certificate or certificate of import or export from CITES management authority shall be required for import from abroad and export to abroad.

28. Dealing with Wild Animals.- (1) No person shall, as a profession, trade or business, buy, sell or otherwise deal with wild animals, trophies, meat or derivatives thereof or process or manufacture goods or articles from such trophies or meat, unless he is in possession of a valid license, here-in-after called a dealer's license, to do so, issued by an officer authorized in this behalf.

(2) The officer authorized under Sub-Section (1) may, on realization of such fees as may be prescribed, grant a dealer's license for the purposes of Sub-Section (1) above as per specification of the license or may refuse assigning the reasons. The aggrieved person may appeal against the order of the authorized officer to the next higher authority within 30 days from the issue of such order. The appellate authority shall decide the appeal within 60 days of the receipt of the appeal and his decision shall be final.

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

(4) The holder of the dealer's license shall maintain such register or record 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.

(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, 12 15 and 16 of the Ordinance.

(6) Whoever contravenes or fails to comply with any of the provisions of this Section shall be punishable with imprisonment for a term which shall not be less than two months and may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to twenty thousand rupees, or with both in addition to the recovery of value of the wild animal to be assessed by the department.

29. Trade under CITES and CMS.- The government may further prohibit, or regulate the import, export, possession and trade, of wild fauna and flora, their parts, products and derivatives as contained in various appendices to CITES of flora and fauna and CMS of wild animals and such other conventions, treaties and protocols signed and ratified by the Pakistan and for the time being in force.



30. Alien Species.- The government may prohibit or regulate entry into the State and release in the wild of any alien species of fauna and flora and genetically modified organisms.

31. Release in the Wild.- No person shall release into the wild any exotic, alien or diseased species of flora and fauna in the State, unless permitted and in a manner as deemed appropriate by an officer authorized in this behalf.

32. Invasive Species.- The government may take measures to control invasive species of flora and fauna to improve the indigenous Flora, Fauna, habitat and the ecosystem or a part thereof.

33. Transport, Holding and Captivity of Wild Animals.- The government may regulate transport, holding and captivity of wild animals as may be prescribed.

34. Wildlife Check-Posts.- (1) The government or an officer authorized in this behalf may permit and notify the establishment of a wildlife check post and erection of barrier at any place as deemed appropriate so as to have a check, whether or not, an offence under the Ordinance has been committed.

(2) Every person crossing wildlife check post whether on foot or in a vehicle or by any other means of transport, shall be liable to stop by the check post on demand, and offer himself and his belongings for checking by the check post staff to their satisfaction.

(3) Whoever contravenes or fails to comply with the provisions of Sections 29 to 34 of the Ordinance, shall be punishable with imprisonment for a term which shall not be less than two months and may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to rupees thirty thousand, or with both in addition to the recovery of value of the wild animal to be assessed by the Department.

## CHAPTER-VI

### Protected Areas

35. Constitution of Protected Areas by the Government.- (1) The government may, declare any land as protected area by notification in the official gazette as may be deemed necessary to constitute such land as a protected area:-

(a) specify, as nearly as possible, the situation and limit of such land by geographic coordinates or readily intelligible boundaries;

(b) appoint a Settlement Board hereinafter referred to as "Settlement Board", to inquire into and to determine the existence, nature and extent of any rights, alleged to exist in favour of any person in or over any land comprised within such limits or land produced there from, and to deal with the same as provided in this Chapter; and

(c) management of the protected areas, shall be the sole responsibility of the Department.

(2) The Settlement Board shall consist of the following:---

(i)	A Revenue Officer not below the rank of a Collector;	Chairman
(ii)	The Deputy Director Wildlife concerned; and	Member
(iii)	One representative of the community or village based Organization.	Member

(3) The representative of the community shall be selected by the community concerned.

(4) All decisions of the Settlement Board shall be taken by majority of votes.

36. Proclamation by Settlement Board.- (1) When a notification has been issued under Section 35, the Settlement Board shall publish in the local vernacular in every town and village in the neighborhood of the land comprised therein, a proclamation:-

(a) specifying, as nearly as possible, the situation and limits of the proposed protected area;

(b) explaining the consequences which, as hereinafter provided, will ensue on the declaration of such area as protected area; and

(c) a period of not less than three months from the date of such proclamation, and enquire every person claiming any right in respect thereof either to present to the Settlement Board within such period a written notice specifying, or to appear before it and to state, the nature of such right and the amount and particulars of the compensation, if any, so claimed.

(2) After the issuance of notification under Section 35, no right shall be acquired in or over the land comprised in such notification, except by succession, or under a grant, or contract in writing made or entered into by, or on behalf of the government, or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land, except in accordance with such rules as may be made by the government in this behalf.

37. Inquiry by Settlement Board.- The Settlement Board shall take in writing all statements made under Section 36, and shall at some convenient place inquire into all claims duly preferred under that Section, and the existence of any rights referred to in Section 36 so far as the same may be ascertainable from the records of the government and the evidence of any person likely to be acquainted with the same. This process shall be completed within six months of the start of the case for establishing Protected Area.

38. Powers of Settlement Board.- (1) For the purpose of such inquiry, the Board may exercise the following powers, that is to say:

(a) to enter or authorize any of its member or any officer to enter upon any land, and to survey, demarcate and make a map of the same;

(b) to summon and enforce attendance of any person and examine him on oath;

(c) to require the discovery and production of any document;

(d) to receive evidence on affidavits; and

(e) to record evidence.

(2) On the completion of the proceedings, the results of such proceedings for each such protected area shall be as may be prescribed.

39. Wildlife Sanctuary.- (1) The government may, by notification in the official Gazette, declare any area that is the property of the government or over which the government has proprietary rights to be a Wildlife Sanctuary and may demarcate it 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 and natural resources 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 fire-arm within wildlife sanctuary and one kilometer outside boundaries;

(v) introduce any exotic species of flora or fauna;

(vi) introduce any domestic animal or allow it to stray; and

(vii) cause any fire, or pollute water in a Wildlife Sanctuary:---

Provided that the department may, for scientific purposes and betterment of the sanctuary authorize the doing of the aforementioned acts, on a specific request to the Head of the concerned Department.

40. Closed Area.- (1) The government may, by notification in the official Gazette, declare any area that is the property of the government or over which the government has proprietary rights to be a Closed Area for the wildlife preservation, conservation and management and may demarcate it in such manner as may be prescribed. No hunting or any act of habitat disturbance shall be allowed in the closed area except through a special permit issued by the Head of the Department.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section or abets in commission or furtherance of any such acts shall be punishable with

imprisonment, which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to rupees thirty thousand, or with both, in addition to such compensation as the convicting court may direct to be paid, which shall not be less than the value of the damage assessed by the department.

(3) In case offense is proved to be followed by award of punishment by the court, all animals, tools, implements, carriages, including mechanically propelled vehicles, pack animal, arms, ammunitions and other equipments and conveyances used in the commission or furtherance of an offence shall stand confiscated in favour of the government, in addition to the punishment awarded under this Section.

(4) If a woman, is charged for any of the offense under this Ordinance, the court may, after the reasons to be recorded in writing, dispense with her physical presence before the court while permitting her to appear by an agent duly authorized in writing under the signature or thumb-impression of such accused having woman, attested by a respectable person of the area concerned.

41. Site of Special Scientific Interest.- With a view to protect species of Flora and Fauna or habitat or landscape or water body having special scientific importance, the government may, by notification in the official gazette, declare any area to be a Site of Special Scientific Interest and prohibit therein every act of the kind deemed against the scientific interest of the site.

42. Wildlife Refuge.- The government or an officer authorized in this behalf may by notification in the official gazette declare any area to be a Wildlife Refuge where hunting of all wild animals shall be prohibited. The refuge shall be managed in a manner as may be prescribed.

43. National Park.- (1)With a view to the protection and preservation of landscape, flora, fauna, geological features of special significance and biological diversity in the natural state, the government may, by notification in the official Gazette, declare any area to be a National Park and may demarcate it in such a manner as may be prescribed.

(2) A National Park shall be accessible to public for recreation; education and research purposes subject to such restrictions as the government may impose.

(3) The 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, as not to impair the object of the establishment of the National Park.

(4) Any facility provided under Sub-Sections (2) and (3) shall be in conformity with the recommendations of the Environmental Impact Assessment or Initial Environmental Examination under AJ&K Environment Protection Act, 2001 and amendments made thereunder.

(5) The following acts shall be prohibited in a National Park;

(i) Hunting, shooting, trapping, killing or capturing of any wild animal;

(ii) carrying of arms, pet animals, livestock, firing any gun or doing any other act which may disturb any wild animal or doing any act which interferes with the serenity and tranquility of the park and breeding places of wild animals;

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

(iv) grazing of livestock;

(v) fishing;

(vi) clearing or breaking up any land for cultivation; mining or quarrying of stones for any other purpose;

(vii) polluting or poisoning water flowing in and through the National Park;

(viii) littering and dumping of waste;

(ix) writing, in scripting, carving, disfiguring, defacing, painting, chalking, advertising;

(x) use of vehicular transport except on recognized roads and routes;

(xi) blowing of pressure horns within one kilometer radius of the park boundary; and

(xii) playing music or using radios, or making noise.

(6) The Department may, however for scientific purpose or betterment of the National Park or for providing incentives or concessions to the communities for participatory management, authorize doing of one or more acts mentioned in sub-Section (5) on an explicit written request made to the Head of the Department justifying the need for such an action and certifying that it does not impair the objectives of establishment of the park, in a specified manner.

(7) Whoever contravenes or fails to comply with any of the provisions of this Section or abets in commission or furtherance of any such acts shall be punishable with imprisonment, which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to rupees thirty thousand, or with both, in addition to such compensation as the convicting court may direct to be paid, which shall not be less than the value of the damage assessed by the department.

(8) In case offense is proved to be followed by award of punishment by the court, all animals, tools, implements, carriages, including mechanically propelled vehicles, pack animal, arms, ammunitions and other equipments and conveyances used in the commission or furtherance of an offence shall stand confiscated in favour of the government, in addition to the punishment awarded under this Section.

(9) If a woman, is charged for any of the offense under this Ordinance, the court may, after the reasons to be recorded in writing, dispense with her physical presence before the court while permitting her to appear by an agent duly authorized in writing under the

signature or thumb-impression of such accused having woman, attested by a respectable person of the area concerned.

44. Biosphere Reserve.- The government may, by notification in the official gazette, declare any area to be a Biosphere Reserve, comprising of a Core zone, a Buffer zone and Multiple- use zone on the recommendations of the relevant international organization.

45. National Natural Heritage Site.- With a view to protect natural, physical and biological formations or groups of such formations, which are of outstanding national or global value from the aesthetic or scientific point of view, the government may declare any area to be National Natural Heritage Site, and prescribe its management as deemed appropriate.

46. Biodiversity Reserve.- All the Forests declared as State forest under the law enforced in Azad Jammu and Kashmir, unless otherwise declared a category of Protected Area shall be deemed to be Biodiversity Reserves and shall be managed under a management plan for In-situ conservation and sustainable utilization of biological resources.

47. Game Reserve.- (1) The government or an officer authorized in this behalf may declare any area to be a Game Reserve, where hunting of wild animals shall not be allowed, except under a special permit, which may specify the number and kind of animals to be hunted, method of hunting, the area, timing and duration for which such permit shall be valid.

(2) The officer authorized in this behalf may take measures for management, maintenance and improvement of habitat in a game reserve as deemed appropriate.

(3) Whoever contravenes or fails to comply with any of the provisions of this Section or abets in commission or furtherance of any such acts shall be punishable with imprisonment, which shall not be less than two months and may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to rupees thirty thousand, or with both, in addition to such compensation as the convicting court may direct to be paid, which shall not be less than the value of the damage assessed by the Department.

(4) In case offense is proved to be followed by award of punishment by the court, all animals, tools, implements, carriages, including mechanically propelled vehicles, pack animal, arms, ammunitions and other equipments and conveyances used in the commission or furtherance of an offence shall stand confiscated in favour of the government, in addition to the punishment awarded under this Section.

(5) If a woman, is charged for any of the offense under this Ordinance, the court may, after the reasons to be recorded in writing, dispense with her physical presence before the court while permitting her to appear by an agent duly authorized in writing under the signature or thumb-impression of such accused having woman, attested by a respectable person of the area concerned.

48. Pre-emptive Application of MEAs.- The government may by notification in the official gazette, designate and declare any area, which qualifies for the implementation of any

biodiversity related to Multilateral Environmental Agreements to which the government of Pakistan is signatory, as a protected area with appropriate nomenclature and prescribe its management as deemed proper.

49. Pre-emptive Application of the Ordinance.- Where the government is satisfied that designation of an area is suitable for achieving one or more of the objectives of the Ordinance, it may declare such area with an appropriate nomenclature and prescribe its management through a notification in the official gazette.

50. De-notification and Alteration of Boundaries of Protected Area.- The government may by notification in the official Gazette, de-notify a protected area or declare any alteration in the boundaries of a protected area declared under the Ordinance, under an explicit written request made by the Head of the Department, justifying such action:---

Provided that Wildlife Sanctuary, National Park and Site of Special Scientific Interest shall neither be de-notified nor altered in size except with the prior consent of the Wildlife Management Board.

51. Damage to Structures in Protected Area.- (1) No person shall damage, alter, counterfeit, deface or displace boundaries of a protected area, enclosures, transects, government infra structures, visitors facilities, water bodies or any such other structure or facility created for the management of wildlife or protected areas.

(2) Whoever contravenes or fails to comply with any of the provisions of this Section or abets in commission or furtherance of any such acts shall be punishable with imprisonment, which shall not be less than six months and may extend to one year, or with fine which shall not be less than rupees ten thousand and may extend to rupees thirty thousand, or with both, in addition to such compensation as the convicting court may direct to be paid, which shall not be less than the value of the damage assessed by the Department.

(3) In case offense is proved to be followed by award of punishment by the court, all animals, tools, implements, carriages, including mechanically propelled vehicles, pack animal, arms, ammunitions and other equipments and conveyances used in the commission or furtherance of an offence shall stand confiscated in favour of the government, in addition to the punishment awarded under this Section.

(4) If a woman, is charged for any of the offense under this Ordinance, the court may, after the reasons to be recorded in writing, dispense with her physical presence before the court while permitting her to appear by an agent duly authorized in writing under the signature or thumb-impression of such accused having woman, attested by a respectable person of the area concerned.

(5) Where a person has been found to have encroached upon or in unlawful possession of any land in any protected areas he shall be ejected by the Deputy Director Wildlife or the Divisional Forest Officer and any Officer of the Police, on the requisition of such officer, shall assist him. Appeal shall lie against the order passed by the Deputy Director Wildlife or the Divisional Forest Officer to the Director Wildlife and Fisheries or the Chief Conservator of Forests as the case may be and final revision shall lie to the government.

## CHAPTER-VII

## Community Participation in Wildlife Management

52. Empowerment and Benefit Sharing of Community Organizations.- (1) The government or an officer authorized in this behalf may recognize the formation of community representative organization(s) in an area as management partner(s) for the management of biological diversity and may accord recognition and legal status, with the conditions as may be prescribed, to the byelaws, collective funds, rules of business and functions of such community representative organization(s) under the Ordinance.

(2) When community representative organization is recognized under Sub-Section (1) above, any benefit accrued from the sustainable use of elements of biodiversity in an area shall be shared among the Community and the government as may be prescribed by the head of the Department.

(3) The government or an officer authorized in this behalf may empower the selected members of the community representative organization recognized under Sub-Section (1), and the owner(s) of a private game reserve, to exercise, within limits of their jurisdiction, any or all of the powers exercisable by an officer under the Ordinance.

53. Private Game Reserve.- (1) Where the government or an officer authorized in this behalf is satisfied that an area of private land has been dedicated by its owner(s) for the purposes similar to a game reserve, the government or an officer authorized in this behalf may, on the application of the owner(s) of the area declare such area to be a private game reserve.

(2) Hunting of wild animals, in a private game reserve, shall not be allowed except under a permit, issued by the owner with intimation to the Department or by the officer authorized in this behalf upon concurrence of the owner(s). The maximum number of the permits for the game species and for the season shall be agreed between the owner(s) and the Department.

(3) The amount of hunting fee permit charged by the owner shall in no case be less than the amount fixed by the government in a game reserve of similar nature and species. The amount of permit fee shall be the sole property of the owner(s). At least 20% of the income shall be spent on the development of the private Game Reserve.

(4) The owner/s of a private game reserve shall prepare a management plan of the reserve in consultation with Department and shall cause it to be implemented after approval of the same by the Head of the Department.

(5) The government may, by notification in the official Gazette, at any time, declare that any private game reserve shall cease to be a private game reserve.

(6) Whoever contravenes or fails to comply with any of the provisions of this Section or abets in commission or furtherance of any such acts shall be punishable with imprisonment, which shall not be less than two months and may extend to six months, or with fine which shall not be less than rupees ten thousand and may extend to rupees thirty thousand, or with both, in addition to such compensation as the convicting court may direct to be paid, which shall not be less than the value of the damage assessed by the Department.



(7) In case offense is proved to be followed by award of punishment by the court, all animals, tools, implements, carriages, including mechanically propelled vehicles, pack animal, arms, ammunitions and other equipments and conveyances used in the commission or furtherance of an offence shall stand confiscated in favour of the government, in addition to the punishment awarded under this Section.

(8) If a woman, is charged for any of the offense under this Ordinance, the court may, after the reasons to be recorded in writing, dispense with her physical presence before the court while permitting her to appear by an agent duly authorized in writing under the signature or thumb-impression of such accused having woman, attested by a respectable person of the area concerned.

54. Conservancy.- (1)The government or an authorized officer of the Department may declare any landscape, which supports or has the potential to support significant biodiversity for sustainable multiple use management, including biodiversity conservation in collaboration with the local communities and the government, as a "Conservancy". A conservancy may include one or more protected areas and accommodates all such uses that enhance biodiversity conservation.

(2) The government may establish a Conservancy Management Committee for each conservancy as co-management partner for the sustainable multiple use of biological diversity in the conservancy, which shall comprise of the representatives of the communities, select civil society organizations and relevant government departments and may be assigned such roles, functions and financial management system as deemed fit.

(3) The conservancy Management Committee shall manage the use of biological diversity in the conservancy such as to fix harvest quota, appropriate sites for use, impose ban on resource use, prescribe measures for rehabilitation of resources, enforce customary laws and penalties, receive compensation for the unauthorized use of the resources, prosecute breaches of various acts; and may appoint such persons for this purpose on the terms as deemed appropriate by the Committee, and with such powers as may be prescribed by the government.

55. Community Managed Game Reserve.- Where the government is satisfied that an area of land owned by the government or communities can be effectively managed for sustainable hunting of wild animals, in collaboration with the local communities and the government, it may declare such area to be Community Managed Game Reserve.

## CHAPTER-VIII

### Ex-situ Conservation of Wildlife

56. Wildlife Park.- The government may establish and enclose any area for propagation of wildlife species under natural or semi natural conditions, conservation awareness, research and recreation, as a Wildlife Park, which shall be managed in a manner as may be prescribed.

57. Zoological Garden and Breeding Facilities.- (1) The government or an officer authorized in this behalf may register on prescribed fee, and regulate the establishment and operation of a breeding facility of wild animals, a zoological garden, a display centre

or any other similar facility, with whatever nomenclature known, in public and private sector, as may be prescribed.

(2) Every owner or operator of an existing facility, mentioned in Sub-Section (1) shall get the facility registered within six months of coming into force of the Ordinance.

(3) The government or an officer authorized in this behalf may regulate transport and trade between various zoos or breeding facilities mentioned in sub-Section (1).

(4) The government or an officer authorized in this behalf may regulate release in the wild or harvest after release in the wild of the captive bred animal as may be prescribed.

## Chapter-IX

### Powers of Government and Officers

58. Search and Arrest without Warrant.- (1) The officer or a person authorized by the government, if he has sufficient proof commitment of an offence in this behalf, may search any person, premises, vessel, vehicle, animal package, receptacle or covering, without warrant, so as to satisfy himself whether or not an offence under the Ordinance has been committed and arrest the offender without warrant.

(2) The officer or the authorized person making an arrest under Sub-Section (1) above shall without unnecessary delay and subject to the provisions of the Ordinance as to release on bond, take or send the person arrested before the Magistrate having jurisdiction in the case or the officer in-charge of the nearest police station.

(3) While checking any wild animal or any illegal possession punitive measures under the Ordinance shall be taken against culprits who try to attack the officer(s) while checking the illegal possession.

59. Seizure and Confiscation of Property.- The officer or a person authorized by the government in this behalf may;

(a) seize and confiscate any wild animal, dead or alive, which has been acquired otherwise than in accordance with the provisions of the Ordinance.

(b) seize any fire-arm, net, trap, snare, bow, arrow or any vehicle or vessel or anything what-so-ever used or suspected to have been used in the commission of an offence under the Ordinance.

60. Disposal of seized Property.- Notwithstanding anything contained in any other provision of the Ordinance, the officer or any other person authorized in this behalf may sell or dispose off or set free in the wild any wild animal or its trophy seized or confiscated under Section 59; and may, subject to the determination of the rights thereto, deal with the proceeds in such manner as may be prescribed.

61. Prevention of Commission of Offence.- Every Wildlife Officer, Forest Officer, Police Officer or any other person authorized by the government in this behalf shall be competent to prevent by all lawful means the commission of any offence under the Ordinance.

62. Compounding of Offence Cases.- (1) The 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 an offence under the Ordinance, a sum of money by way of compensation for such offence; and

(b) to release the property, which has been seized as liable to confiscation, on receipt of the value thereof, as estimated by an officer authorized in this behalf.

(2) On the receipt of compensation or such value of property or both under Sub-Section (1), 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.

(3) The sum of money accepted as compensation under clause (a) of Sub-Section (1) shall in no case exceed the sum of fifty thousand rupees.

(4) The officer authorized in this behalf may give as reward a portion of the amount realized as compensation and value of property under sub-section (3) above to the person or persons who helped in detection, registration and/or disposal of offence case. Such reward shall not exceed 1/4th of the amount so realized.

63. Invest Officers with Certain Powers.- The government may invest an officer or any other person authorized in this behalf with all or any of the following powers;

(i) the powers of a Civil Court to compel the attendance of witnesses and production of documents and material objects;

(ii) the power to issue a search warrant under the Code of Criminal Procedure, 1898 (Act V of 1898);

(iii) the power to hold an inquiry in to offence under the Ordinance and in the course of such inquiry to receive and record evidence;

(iv) the power to prosecute a case before a court; and

(v) the power to try an offence summarily .

64. Delegation of Powers.- The government may, by notification in the official Gazette, delegate all or any of the powers conferred upon it under the provisions of the Ordinance to any officer subordinate to it.

65. Grant of Exemption.- Notwithstanding anything contained in the Ordinance, the government may, upon request by the officer authorized in this behalf, allow, by notification in the official Gazette, killing and capturing of such wild animals in such places and by such means as may be specified in the notification, in the interest of any scientific or public purpose.

66. Revision of Schedules, Periods and Fees. The 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;

(ii) fix or alter the period during which any wild animal may be hunted;

(iii) open or close any area to hunting; and

(iv) revise the fee for various types of licenses/permits prescribed under the Ordinance or the Management Plan.

67. Power to Make Rules.- (1) The government may make rules for the purposes of carrying into effect the provisions of the Ordinance.

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

(a) the powers and duties of the officers and other persons specially authorized to perform functions under the Ordinance;

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

(c) the fees to be charged for any license, special license, a permit or special permit;

(d) in the case of any species of wild animals, the number and the sex that may be killed under a license, special license, a permit or special permit;

(e) reward to persons who render help in detection of offences under the Ordinance;

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

(g) the management of wildlife sanctuaries, sites of special scientific interest, wildlife refuges, national parks, biosphere reserves, national natural heritage sites, biodiversity reserves, game reserves, private game reserves, conservancies, community managed reserves, wildlife parks, captive breeding facilities, and such other areas.

(h) the sale of arms and ammunition confiscated under the Ordinance; and

(i) watch the movement of the herds by nomads or locals and get all information regarding the size of herd, sex and ownership of animals, route of movement, grazing ground and period of stay. Also to impose fee per animal or per herd as may deem necessary.

## CHAPTER-X

### Trial of Wildlife Offences

68. Duty of Coupe Purchaser, Lambardar etc. Concerned with Land Management.- Every coupe purchaser of forest produce, or lessee of forest, non-timber forest produce, fish, wildlife, mines; lambardar, chowkidar, police man, village headman, chairman and member of Union Council and all government servants shall be bound in the absence of

reasonable excuse , to give to any officer or any person authorized in this behalf by the government information in respect of any snaring , trapping, netting, unauthorized killing or any other offence under the Ordinance committed within the limits of his jurisdiction, as soon as the commission of such offence comes to his knowledge.

69. 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 demand made by any officer or any other person authorized by the government in this behalf

70. Procedure When Offender is not Known.- 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.

71. Abetment of an Offence.- Abetment of any offence under the Ordinance or the rules made there under shall be punishable as the offence.

72. Interference in Duty.- No person shall interfere or attempt to interfere in the performance of any functions or in the discharge of any duty under the Ordinance and the rules made there under.

73. Lodging of Complaint.- No Court shall take cognizance of any offence under the Ordinance except on the complaint of the officer or any person authorized by the government in this behalf

74. Competent Court.- No court inferior to a Civil Judge or Judicial Magistrate of First Class shall take cognizance of and try an offence under the Ordinance.

75. Summary Trial.- The District Magistrate or any Magistrate of the first Class specially empowered in this behalf by the government may try summarily under the Code of Criminal Procedure 1898, any offence punishable under the Ordinance.

76. Procedure as to perishable property seized under Section 59.- Notwithstanding anything contained in the Ordinance or any other person authorized in this behalf may, sell any property seized under Section 59 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt with such property if it had not been sold.

77. Hunting in Defense.- Notwithstanding anything contained in any other provision of the Ordinance, it shall not be an offence if,---

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

(b) 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; and

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

Provided that:---

(i) Clause (b) and (c) of Sub- Section (1) shall not apply to any unlawful cultivation in a National Park, Wildlife Sanctuary, Reserved and protected Forests or any livestock illegally grazing or herded therein.

(ii) The killing under Sub-Section (1) of wild animals shall be reported to the nearest office established for the purposes of the Ordinance with the least possible delay.

(iii) The meat or trophy of any wild animal killed under Sub-Section (1) shall be the property of the government and shall be disposed of as directed by the officer authorized in this behalf.

(iv) The government may compensate the loss of life and property caused by wild animals in a manner as may be prescribed.

78. Burden of Proof.- When any proceedings taken under the Ordinance or in consequence of anything done under the Ordinance, a question arises as to whether any animal, trophy, meat or derivative is the property of the government, such animal, trophy, meat or derivative, shall be presumed to be the property of government, until the contrary is proved.

79. Prosecution under other laws.- Nothing contained in the Ordinance shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence under the Ordinance or from being liable under any other law to any higher punishment or penalty than that provided by the Ordinance.

80. Officers deemed to be Public Servants.- The officers or persons authorized under any provisions of the Ordinance to do a certain thing or act in certain manner shall be deemed to be public servants within the meaning of the Azad Penal Code (Act XLV of 1860).

81. Protection of Action taken under the Ordinance by Officers.- No suit, prosecution or other legal proceedings shall lie in any court against any officer empowered under Section 3 of the Ordinance, for anything done or intended to be done in good faith in pursuance of any provision of the Ordinance or the rules made there under.

82. Rules when to have force of law .- All rules made by the government under the Ordinance shall be published in the official Gazette, and shall thereupon so far as they are consistent with the Ordinance, have effect as if enacted therein

83. Duty of Police Officer and Members of other Law Enforcing Agencies.- Every police officer and members of other law enforcing agencies shall, upon request made by any officer or person empowered under the Ordinance, assist him in the due discharge of his duties under the Ordinance.

## Chapter-XI

### Repeals and Savings

84. Repeals and Savings.- (1) The Azad Jammu and Kashmir, Wildlife Act, 1975 is hereby repealed:

(2) Notwithstanding the repeal of the enactment mentioned in Sub-Section (1), everything done, action taken, obligation, liability, penalty or punishment incurred, inquiry or proceedings commenced, officer appointed or person authorized, jurisdiction or power conferred, rule made and license or order issued under the provisions of the said enactments or rules made there-under shall continue in force, and so far as may be, be deemed to have been respectively done, taken, incurred, commenced, appointed, authorized, conferred, made or issued under the Ordinance and any enactment or document referring to any of the said provisions shall, as far as may be, construed to refer to the Ordinance or the corresponding provision thereof.

-sd-  
 (Raja Zulqarnain Khan)  
 President  
 Azad Jammu & Kashmir  
 (Sardar Rashid Kaleem)  
 Section Officer Law

FIRST SCHEDULE

Game Animals, i.e. Animals which may only be hunted, killed or captured by the holder of License

Part-1

(Animals which may be hunted on an Ordinary Game Hunting License)

Column-1			Column-II	Column-III
Name of the Animal			Number Allowed	Time and season when hunting permitted
Scientific Name	English Name	Local Name		
Anatidae; Ducks	Lesser	Silahi	Not more than eight ducks of all species combined may be killed in any one	1st. October to 1st. March
Dendrocygna Javanica	Whistling Teal			

day

Dendrocygna bicolor	Large whistling Teal	Barna Silahi, Chuka
Tadorna feruginea	Ruddy Shell Duck or Brahminy Duck .Common Duck	Surkhab, Chuka, Ial Surkha
Tadorna Tadorna	Common Shell Duck	Safro Chakwa Safed surkhab
Anas acuta	Pintail	Sarh, Sikhpar, Digosh
Anas crecca	Commoc Teal	Kerraputari, Huraro Suchuruka
Anas Formosa	Baikal Teal	Kerraputari, Burkani Suchuruka
Anas platyrhynchos	Mallard	Chaka, Nilsir, Nilrugi
Anas strepera	Gadwal	Mila, Bhur, Hurwa
Anas Penelope	Wigeon	Peasan, partarui, Lalsir
Anas falcate	Falcated Teal	Chotiya, Wano Hurwa
Anas querquedula	Gargany	Chai putari
Anas clypeata	Shoveller	Tidari, Trakwala, Ghira Punan,
Netta rufina	Red-crested pochard	Lalsir
Aythyaforina	Common pochard	Burama, Thurhandao
Aythya nyroca	Lapwing	Karachiya, Burar Mada, Lalbigri



Budha				
Aythya baeri	Beer's pochard	Dubara, Abtak Bohwara		
Aythya fuligula	Tufted Duck			
Aythya marila	Csaup			
Clangula hyemalis	Old squaw, Longrail Duck			
Bucephalus clangula	Golden eye Duck	Kumbara		
Meruas abellus	Smew	Dayali jhalli		
Mergus merganser	Goosander			
Mergus serrator	Red breasted Merganser			
Phaesianidae	Pheasants, Partridges	Quails, Spurfols, peafowls, and Junglefowls		
Lerwa lerwa	Snow partridge	Tatiu, Bhedu, Parahut	Not more than five per day	Ist. November to Ist. March

Column-I			Column- II	Column-III
Amoperdox	Seesee partridge	Kakki, Chauklau, Siali	Not more than five per day	Ist. November to Ist. March
Griseogularis	Snow cock	Golind, Lip	Not more than 5 per	Ist. November

			day	to	Ist.
				March	
<i>Tetregallus himalayensis</i>	Chukor	Lipva, chukor, Chukra, Khank, Charu, Zarkar	Not more than 6 per day	Wednesday	Sunday and Gazetted Holidays Ist. Nov. To Ist. March
<i>Francolinus francolinus</i>	Black partridge	Kala Titar, Taru, Karo, Titar, Kodd, Tatar	- do -	-do-	
<i>Francolinus pondicerianus</i>	Grey partridge	Titar, Kyah, Khyar	- do -	-do-	
<i>Francolinus gularis</i>	Swamp partridge	Khajjah, bhuri Titar, Gul Titar, Bicel Titar	-do -	- do-	
<i>Coturnix</i>	Common quail	Batter, Kurrai, Bhatri	Not more than 12 of all species of quail combined in any one day	Ist. Nov.	to Ist. March
<i>Coturnix coromandelica</i>	Rain quail	Baster			
<i>Coturnix chinensis</i>	Blue breasted quail	Curru			
<i>Perdicula argoonda</i>	Rock Busg Quail	lowwa			
<i>Perdicula asiatica</i>	Gungle Bush Quail	Lowwa			
<i>Turnix sylvatica</i>	Little bustard quail	Badkhi, Chota Bater			
<i>Turnix tank</i>	Button Quail	Bater, Lowwa			

Turnix suscitator	Common bustard	Gulu Quail		
Arborophila rufogularis	Rufous-throated Hill Partridge	Dau Bui	Not more than five per day	Wednesday, Sunday and Gazetted Holidays Ist. Nov. To Ist. March
Arborophila vafogularis	White -checked Hill partridge	Pura, San Batai	- do-	-do-



Column-I	Column-II	Column-III		
Name of Animals	Number Allowed	Time Season when Hunting permitted		
Scientific Name	English Name	Local Name		
OTIDIDAE; BUSTARDS  Almdotis undulate	Houbara	Tilor, Kharmor, Kar Wanak	Not more than 2 per day	Wednesday, Sunday and Gazetted Holiday Ist. Nov. To Ist. March
CHARADRIDAE  PLOVERS SANDPIPERS SWIPE AND OTHER WADERS		Lapwing	Not more than 8 Lapwings plovers of all species combined in any one day	Ist. Nov. To Ist. March

Vanellus leucoris	White- tailed					
Vanellus vanellus	Lapwing		Rodhur, Sabaz Titti			
Vanellus cineieus	Grey- Lapwing	headed	Lapwing			
Vanellus indicus	Red Lapwing	-wattled	Lapwing, Tata, Titeri, Tatchar			
Vanellus malabaricus	Yellow- Lapwing	wattled	Zirdi, Jithri			
Vanellus spinosus	Super- Lapwing	winged				
Pluvialis apricaria	Golden plover		Chota Batan			
Pluvialis dominica	Eastern plover	Golden	Sons Batan			
Numenius phaeopus	Whimberal		Chota Goumgh, Chota Goliad	Not more than 2 per day	Ist. Nov Ist. Mar	
Numenius arquata	Curlew		Goar, Goungh, Choppa	-do-		-do-
Capella nemoricola	Wood Snipe		Sada, Kastachura Sumkikri Julkikri	Chaha,	Not more than 12 snipe of all species combined in any one day	-do-
Capella qallinago	Fantail Snipe		Pakhi, Jalakri			
Capella solitaia	Solitary snipe		Ban chaha			
Capella stonura	Pintail Snipe		Pakhi, Jaakri, Kadakoe			

Capella minima	Jack snipe Chota Chaha Asraf Pak			
Capella modia	Great Snipe Dum Pakhi			
Rostratula benghalensis	Painted Snipe	Rajchaha Baggergi		
BURHINIDAE; STONE  CURLEWS OR STONE PLOVERS  Burhinus oedienemus	Stone Curlew	Lambi, Karakwanak, Basirl	Not more than 2 per day	Ist. Nov Ist. Mar
Esacus magnirostris	Great Stone plover		-Do-	-do-
PTORICLIDIDAE: SANDG ROUSE  Syrraptres tibetanus	Tibetan Sandrouse	Nok, Kaling., Kung	Not more than 12 per sandgrouse of all species combined in any oneday	

Column- I	Column -II	Column-III
Name of the Animal	Number Allowed	Time and Season When Hunting Permitted
Ptreocles exustus	Indian Sandgrouse	Bhattar
Ptreocles	Spotted sandgrouse	

senegallus					
Ptreocles orientalis	Imperial Sandgrouse	Bhattitar, Gero Bakh, Bakh			
Ptreocles corenatus	Cornetted Sandgrouse	Bhatta, Bal Harissia, Sina			
Ptreocles indious	Close barred or painted Sandgrouse	Dukru			Not more than 20 birds of all species in any one daaaaay.
Columbidae; pigeons, green pigeons, and Doves All species of Pigeons, green pigeons and Doves, other than members of the genus Ducula (Imperial Pigeons) which are protected.					
Rallidae: Coots and Moorhens	White- breasted	Dawak, pampaira			Not more than 10 coots and Moorhens of all species in any one day
Amaurornis phoenicurus	White - breasted Moorhen	Dawak, pampaira, Kuraki	- do-	-do	
Gallinura chloropus	Moorhen jal Murghi	Dakadpairs			
Porphyrio porphyrio	Purple Moorhen , Kaim	Kulang, Gajro			
Fulicula atrata	Coot	Khushkal, Dasari Kanramdab			Not more than 5 hares of all species combined in one day

Lepus; Hares			All year
Lepus capensis	Cape Hare	Kahrgosh	
Lepus nigricollis	Indian Hare	Khargosh	

S. No.	English Name	Varnacular Name	Scientific Name
1.	The Himalayan jungle crow	Kowa, kawwa, kan, pahari kowa	Corvus leuillanti
2.	The House crow	Kan, kowa, desi kan	Corvus splendens
3.	The Rose ringed parakeet	Thotha, Thothi	Psittacula krameri
4.	Himalayan nightjar	Chippak, chappa, dab chiri, dabbak, andha, chirya	Caprimulgus indicus unwini
5.	Long tailed night jar	Chapks	Caprimulgus macrurus
6.	Indian jungle night jar	Kapoo	Caprimulgus indicus
7.	Great eared night jar	Sandhya muznaki	Lynocornis cerviniceps

8.	Munias	Lal munias	Fam. Viduiae
9.	Weaver birds	Baya bija etc.	Fam. Ploecinae
10.	Jackal	Giddar, Yal, phival	Canis aureus
11.	Indian porcupine	Suai-sa Kundewalli	Hystrix indica
12.	Rats and Mice	Chuha, Chuhi	Mus (whole family)
13.	The Wild boar	Suhar, Barla, janwar, Khanzeer	Sus scrofa cristatus

Part -II ( Animals for the hunting of which a special permit is required)

Column-I		Column-II	Column-III
Name of Animal		Season when hunting permitted	Localities where hunting is permitted
Scientific Name	English Name	Local Name	
Martes foian	Beech or stone Marten	Ist. Nov. to Ist. March	Where ever found except National Parks, Wildlife Sanctuaries or game reserves
Selenarctos	Black bear ( All races	Rich, Bhalu	



thibetanus	except gedrosanus which is protected and occurring in Pakiatan	S.t. which is those in East	Ist. July to Ist. December	In areas to the north and east of the Kabul river that the Chief Wildlife Warden may from time to time specify
Felis lybica	Desert cat	Jhang Nemo	Ist. Nov. to Ist. March	Wherever found except National Parks, Wildlife Sanctuaries or game reserves
Felis chaus	Jungle cat	Ban bilar, Khats	-do-	-do-
Nemorhaedus goral	Goral	Pij, Pijur, Bai, Bom	-Do -	In such areas as the Chief Wildlife Warden may from time to time specify
Capra ibex	Ibex		-do-	- do-
Capra hircus	Sindh Wild Goar	Sair, Phasin Bom, Sarah, or Kuhl	-do-	-do-
Capra falconeri	Markhor	Markhor ( all races except the straight horned races. f. Jerdoni and chial tenensis which are protected	-do	-do-
Ovis orientalis	Urrial except which is protected	Urrial, Shapu shah Kohi, Koch, ( All races o.o punjabiensis	-do-	-do-
Koklass pheasant Pucrasia macrolopha				
Himalayan Snow cock Tetraogallus himalayensis				

Animals, which can be live, caught only under a trapping permit to be granted by an officer authorized in this behalf, in addition to the Small Game Hunting License.

Common quail *Coturnix coturnix*

Rain quail or Black breasted quail *Coturnix*

Common Crane *Grus grus*

Demoiselle Crane *Anthropoides virgo*

See-see partridge *Ammoperdix griseogularis*

Chukar partridge *Alectoris chukar*

Grey partridge *Francolinus pondicerianus*

Black partridge *Francolinus francolinus*

Mynas (Family: Sturnidae, Genus: *Sturnus*)

Parrots Alexandrine Parakeet *Psittacula eupatria*, Rose ringed Parakeet *Psittacula krameri*, Blossom headed Parakeet *Psittacula cyanocephala*.

House sparrows *Passer domesticus*

Doves (Family: Columbidae, Genus: *Columba*)

Pigeons (Family: Columbidae, Genus: *Columba*)

Buntings (Family: Columbidae, Genus: *Columba*)

Munias

Finches

Thrushes

Larks

Bulbuls

PART IV

Animals for hunting of which a special permit shall be required in addition to the Big Game Hunting License to be issued by the officer authorized in this behalf.

Common leopard *Panthera pardus*

Wolf *Canis lupes*

Rhesus Monkey *Macaca mulatta*

Himalayan ibex *Capra ibex*

Grey goral *Naemorhedus goral*

Markhor *Capra falconeri*

## SECOND SCHEDULE

Animals, Trophies or Meat for the Possession, Transfer or Export of which a Certificate of Lawful Possession is required.

1. Any live protected Animal or Game Animal
2. Any Trophy or Meat derived from a Protected Animal.
3. The horns of Goral, Ibex, Sindh Wild Goat, Markhor and Urial.
4. The skins of Beech or Stone Marten, Jungle Cat and Desert Cat.

## THIRD SCHEDULE

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

1. All Game animals when immature or not fully grown.
2. 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.
3. All females of the following species:-

*Nemorhaedus goral*, Goral or Piji, Ban- Bakri, Gurrur, Gudh, Sar, Pijur, Rai, Rom.

*Capra hircus*. Sindh wild goat or Ter, Sarah, Pashin, Pachin

*Capra falconeri*. (All races) Markhor 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 birds:---

All members of the family ARDEIDAE; i.e. all herons, Night Herons, Paddy Birds, Egrets or Bitterns,

All members of the family PELECANIDAE; i.e. all Pelicans

All members of the family CICONIDAE; i.e. all Storks.

All members of the family THRESKIORNIDAE; i.e. all ibis's and Spoonbills.

All members of the family PHOENICOPTERIDAE i.e. all flamingos

All members of the genera Anser and Branta; i.e all Geese, including the Bar headed Goose.

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 Garpai, Gugral hamjer.

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

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

*Cairinascutulata*. White- winged Wool Duck

*Sarkidiornis melanotus*. Comb Duck or Nukhta.

*Rhouonessa caryphyllacea*. Pink headed Duck

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

All members of the family FALCONIDAE; i.e. all Falcons, Kestrels.

All members of the family PHASIANIDAE; i.e. all Pheasants, Partridges, Quails, Spurfowls, Junglefowls and Peafowls other than those species specified 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 Sand-grouse.

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

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

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

*Mucaca mulatta villosa*. Himalayan Rhesus Monkey (i.e. all Rhesus Monkeys found in west Pakistan ) Bandar, Punj, Markat.

*Macaca assamensis*. Assamese Macaque or Bandar

*Macaca irus*. Crab-eating Macaque.

*Macaca speciosa*. Stump tailed Macaque

*Presbytis pileatus*. Capped Langur.

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

*Presbytis obscurus*. Dusky leaf Monkey

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

*Vulpes cana*. Blandford's Fox.

*Cuon alpinus*. Wild Dog or Dhole, Ramkun, Ban kutta, Bnoonsa.

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

*Selenarctos thibetanus, gedrosianus*. Baluchistan Black Bear (i.e. all black bears found south and west of Kabul River) Kala Rich, Bhalu, Haput, Mam.

*Ursus arctos*. Brown Bear or Red Bear BarfKa Rich, Safed Bhalu, Cilla Rinch, Drengmo, Dri Mor.

*Helarctos Malayanus*. Sun Bear or Honey Bear.

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

*Vormela peregusna*. Marbled polcat

*Mellivora capensis*. Ratel or Honey Badger, Beju, Gorpat, Ghurna

*Lutra lutra*. Common otter or Laudher, Ud- bilaw, Pani Kutta, Sagi Ab.

*Lutra perspicillata*. Smooth Indian Otter or Ludher, Ludra, Udai

*Aonyx cinerias*. Oriental Clawless Otter or. Ludher

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

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

*Paradoxurus hermaphroditus* Common Palm Civet or Toddy Cat, Kakati.

*Paguma larvata*. Himalayan Civet or Masked Palm civeta

*Arctitis binturong*. Binturong or Bear Cat

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

*Felis manul*. Pallas's cat

*Felis lynx*. Lynx or Patsalan, Phiauku

*Felis bengalensis*. Leopard Cat or Chita Billi, an Bilar

*Felis viverrina*. Fishing Cat or Mash billi, Mach Bagral

*Felis marmorata*. Marbled Cat

*Felis temmincki* Golden Cat

*Neofelis nebulosa*. Clouded Leopard or amchita, Kung

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

*Panthera uncia*. 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 pygerythrus*. Hoary-billied Himalayan squirrel.

*Elephas maximus*. Elephant or Hathi, Gaj.

*Equus hemionus*. Wild ass ghor Khar, Ghuran, Kiang. All members of the genera

*Rhinoceros* or *Bidemoseros* i.e all rhinoceros. Gainda, Gagadan.

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

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

*Axis axis*. Spotted Deer or Chital, Chitra, Jhank, Pagal Hiran, Boro, Kotiya.

*Axis porcinus*. Hog Deer or para

*Cervus unicolor*. Sambar

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

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

*Bos ganraus*. Gaur or Blsom, Solni ( including the deral hybrid B g. frontails or Mathan, Gayal).

*Bos banteng*. Banteng os Tsaine.

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

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

*Buselaphus tragocamilus*. Bluebull or nilgai, Gond, bain, Ranjb, Roz, Rojra.

*Tetracerus quadricornis*. Four-horned Antilope or Chowsingha.

*Capricornis sumatrensis*. Serew.

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

*Capra falconeri jerdoni*. And c.f. chialtanensis. Straight Horned races, of Markhor (i.e. all Markhor found to the south and west of the North Waziristan Agency) Sarah, Pachia, Buzkuhi.

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

*Ovis ammon*. Both the race O.a. Polii (Marco polo's Sheep or Kachan, Roosh) and the race O.o. hodgsoni. ( Great Tibetan Sheep or Nayan).

*Ovis orientalis punjabiensis*. Punjab Urial (i.e. all Urial found on the West bank of the River Indus below its junction with the River Kaul) Harian, Shah Kohi, Koch, Kar Gad.

*Sus sylvanus*. Pigmy Hog.

*Platanista gangatica*. Riv dolphin or Sus, suswa, Susuk, Sishuk, Bhualan, Sansar.

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

*Crocodylus palustris*. Marsh Crocodile or Muggar, Magar Mach.

*Cricidukys oirisys*. Estuarne Crocodile or Mugger.

*Gavialis gangeticus*. Gharial, or Soondy mugger, sunsar.

All snakes of genus *Python* i.e. all pythons, Azdha, or Arar.

All lizards of the genus *varanus* i.e. all montire Lizards Goah, Bari Chapkali, Ram Gaddi, Suna Goddi, or Kaka Giddi.

All marine turtles of the genera *Dermochelys*, *Chelona* *Caretta* and *Ereto mochelys*, i.e. all Leatherback, green or Edible, hawksbill, Loggerhead and Tortoise shell Turtles.

No.LD/Legis/640-48/2011

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR

Law, Justice, Parliamentary Affairs and Human Rights Department

\*\*\*\*\*

'Muzaffarabad'

Dated: 29.06.211

To

The Controller,

Govt. Printing Press,

Muzaffarabad.

SUBJECT: THE AZAD JAMMU AND KASHMIR, WILDLIFE (PROTECTION, PRESERVATION, CONSERVATION AND MANAGEMENT) ORDINANCE, 2011

Sir,

Undersigned is directed to enclose herewith a copy of the Azad Jammu and Kashmir, Wildlife (Protection, Preservation, Conservation and Management) Ordinance, 2011, for publication in the extraordinary issue of the Official Gazette on "Top Priority" basis under intimation to this office.

Yours faithfully,

(Sardar Rashid Kaleem)

Section Officer (Legislation)

Ph. 921107

Copy to:---

1. Secretary to the President, Azad Jammu & Kashmir.
2. Secretary to the Prime Minister, Azad Govt. of the State of Jammu & Kashmir.
3. Private Secretary to the Law Minister, Azad Govt. of the State of Jammu and Kashmir



4. Principal Staff Officer to the Chief Secretary, Azad Govt. of the State of Jammu & Kashmir
5. Secretary Wildlife and Fisheries, Azad Govt. of the State of Jammu and Kashmir
6. Secretary Legislative Assembly, Azad Jammu and Kashmir
7. Director Information, Azad Govt. of the State of Jammu & Kashmir for publication in media.
8. Section Officer Codification Law, Justice, Parliamentary Affairs & Human Rights Department.
9. Master File.

Section Officer (Legislation)