

NORTHERN AREAS WILDLIFE PRESERVATION ACT, 1975.

NA
S.I.4
Wildlife

PREAMBLE.

Whereas it is expedient to amend and consolidate laws relating to Wildlife in Northern areas, it is hereby enacted as follows:-

1975
Act
No. 1
of
1975
entitled
"The
Northern
Areas
Wildlife
Preservation
Act, 1975."

1. This Act may be called the Northern Areas Wildlife Preservation Act, 1975.
2. It extends to the whole of the Northern Areas and it shall come into force with immediate effect.

SECTION 2.
DEFINITIONS.

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

- (a) "animal" means any vertebrate creature other than human beings, animals of usually domesticated species or fish, and includes the eggs of birds and reptiles;
- (b) "board" means a Wildlife Conservation Board constituted under this Act;
- (c) "Capture" means the taking alive of any animal and includes the taking of an egg;
- (d) "Chief Wildlife Warden" means the head of the Wildlife Conservation Organization in Northern Areas;
- (e) "dealer" when used in relation to animals, trophies or meat, means any person who in the course of any trade or business carried on by him, whether on his own behalf or on behalf of any other person;
 - (a) sells, purchases, or barter any animal, trophy or meat;
 - (b) cuts, carves, prepares, cleans, mounts or otherwise prepares any animal trophy or meat;
 - (c) removes any article from trophies or meat;
- (f) "game" or game animals means any animal specified in the first schedule of this Act;
- (g) "provincial government" means the Resident/Commissioner for Northern Areas;
- (h) "hunt" means any act immediately directed to the killing or capturing of an animal, or the taking of nests or eggs;
- (i) "licence" "special licence" "permit" and "special permit" mean respectively a licence, special licence permit or special permit granted or issued under this Act or Rules made thereunder;
- (j) "meat" means the flesh, fat, blood or any edible part of animal whether fresh or preserved;
- (k) "National Park" means comparatively large areas of outstanding scenic merit and natural interest with the primary object of protection and preservation of scenery, flora and fauna in the natural state to which access for public recreation, education and research may be allowed.

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- (l) "Officer" means any person not below the rank of Forest Guard or Game Watcher in the Forest Deptt; and Wildlife Conservation Organization in the Northern Areas respectively appointed to carry out all or any of the provisions of this act or any rule made thereunder;
- (m) "Owner" in relation to private land, shall include leasee, a mortgagagee in possession or any person authorised by the owner to act on his behalf in his absence;
- (n) "Trophy" means any dead animal, or any horn, antler, tooth, tusk, bone, claw, hoof, skin, hair, feather, egg-shell, or other durable part of an animal, whether or not included in a manufactured or processed article;
- (o) "Wildlife Reserve" means an area declared by the Provincial Government as such for the protection of Wildlife and increase in the population of important species wherein capturing of wild animal shall be unlawful;
- (p) "Wildlife Sanctuary" means an area closed to hunting, shooting or trapping of wild animals, declared as such by the Provincial Government as undisturbed breeding ground primarily for the protection of Wildlife inclusive of all natural resources such as vegetation, soil and water;

SECTION. 3.

Appointment of Officers.

- (1) Provincial Government may appoint;
- (i) any officer to carry-out the provisions of this act or rules made thereunder.
- (ii) any person to act as honorary officer to assist the officer or officers in carrying out the provisions of this act or of any rules;
- (2) Except as may otherwise be prescribed, any honorary officer by this act or rules and shall hold office for a period of 3 years unless his appointment be earlier terminated.

SECTION. 4.

Formation of Northern Areas Wildlife Board.

- (1) On coming into force of this act the Provincial Government shall constitute a board, hereinafter called the Northern Areas Wildlife Board consisting of such members as the Govt. shall deem fit.
- (2) The provincial Government shall make rules specifying the functions of the board.

SECTION. 5.

Declaration of National Parks, Wildlife Reserve & Wildlife Sanctuaries.

The Provincial Government may by a notification declare any area to be National Park, Wildlife Reserve or Wildlife Sanctuary and may alter the boundaries of such areas from time to time as deemed necessary.

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SECTION.6.
Restriction of
entry into a
National Park.

- (1) The Chief Wildlife Warden shall make provisions for members of the public to have access to such part of a National Park where their presence will not conflict with its primary purpose of preserving fauna and flora in their natural state.
- (2) Notwithstanding the provisions of Sub-section(1) of this Section no person shall enter a National Park without obtaining a ticket at the entry gate in case such an arrangement exists, or, the written permission of an authorised officer, and then only subject to such conditions as may be endorsed on that permit.
- (3) For the purpose of this Section and Section-7 an authorised officer shall mean the Chief Wildlife Warden, the officer for the time being responsible for the administration of the Park or, in his absence, any person to whom he may have delegated his powers in writing.

SECTION.7.
Acts restricted in
a National Park.

No person shall:

- (i) reside in a national park;
- (ii) hunt, kill or capture, or be found in circumstances showing that it is his intention to hunt, kill or capture any animal in a National Park;
- (iii) carry any fire arm or other hunting weapon in a National Park;
- (iv) introduce any domestic animal or allow a domestic animal to stray into a National Park. Any domestic animal found in a National Park may be destroyed or seized by, or on the orders of an authorised officer, and shall be disposed of in accordance with the instructions of the Chief Wildlife Warden;
- (v) cause any bush or grass fire (except at designated places) or cut, destroy, injure or damage in any way any tree or other vegetation in a National Park;
- (vi) cultivate any land in a National Park;
- (vii) Pollute any water in, or flowing in a National Park;
- (viii) introduce any exotic animal or plant into a National Park;
- (ix) Pick any flower or remove any plant, animal, stone or other natural object from a National Park;
- (x) write on, cut, carve, or otherwise deface any building, monument, notice board, tree rock, or other object, whether natural or otherwise, in a Park;
- (xi) fail to comply with the lawful orders of an officer while in a National Park;
- (xii) discard any paper, tin, bottle, or litter of any sort in a National Park except in a receptacle provided for the purpose.

Provided that the Provincial Government may, for scientific purposes or for the betterment of the Park, or in exceptional circumstances, authorise or direct the doing of any act prohibited by this Section.

SECTION 8.

Restriction on hunting
killing or capturing
animals in a Wildlife
reserve or Wildlife
Sanctuary.

No person shall hunt, kill or capture, or be found in circumstances showing that it is his intention to hunt, kill or capture any animal in a Wildlife Reserve or Wildlife Sanctuary.

SECTION 9.

Other restrictions in a
Wildlife Reserve or
Wildlife Sanctuary.

No person shall commit any of the acts specified para(i) to (xii) of Section-7 of this Act in a Wildlife Reserve or in a Wildlife Sanctuary.

Provided that the Chief Wildlife Warden or any Officer appointed by him in this behalf may issue written permission to any person for entering or residing in Wildlife Reserve or Wildlife Sanctuary subject to such conditions as may be endorsed on that permit.

SECTION. 10.

Restriction on killing,
or capturing of protected
or game animals.

- 1) The animals specified in the third schedule to this act shall be known as protected animals and shall not be hunted, killed or captured save as otherwise expressly provided in this act.
- 2) The animals specified in column I of parts I and II of the first schedule to this Act shall be known as game animals and shall not be hunted, killed or captured save under and in accordance with the terms of a game shooting licence or game capture licence issued under this act.
- 3) No person shall keep as a pet or be in possession of any animal or products thereof any animal specified in the third schedule unless specially permitted to do so by the Chief Wildlife Warden and that only for a recognised Zoo or for scientific purposes.

SECTION 11.

Game Shooting licence.

Game shooting licence shall be of the following kinds;

- (i) A small game shooting licence which shall, subject to the provisions of this Act entitle the holder to hunt and kill the animals specified in column I of Part II of the first schedule, to the number specified in column II subject to the limitations of time and seasons specified in column IV.
- (ii) A big game shooting licence which shall, subject to the provisions of this Act, entitle the holder to hunt and kill a single individual of the animals specified in column I of part II of the first schedule of the kind endorsed on that licence, subject to the limitations of season and locality specified in column IV and V.

SECTION. 12.

Issue of Game

Shooting licences,

The Chief Wildlife Warden or any officer authorised in this behalf may grant to any person, or may refuse without assigning any reason,, a game shooting licence of kind specified in Section 11 and before granting such a licence he may require the applicant to furnish with proof that:-

- (i) He is conversant with the provisions of this Act;
- (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 licence is required; and
- (iii) he has adequate skill in use of fire-arms.

SECTION. 13.

Obligations to maintain
a register and return
licence.

Any person who has been granted a Game shooting licence shall;

- (i) carry it on his person when hunting;
- (ii) keep a register in a prescribed form;
- (iii) enter particulars of any animal killed or wounded in the register within 24 hours of its being killed/wounded;
- (iv) produce his licence or register for inspection at any reasonable time on being called upon to do so;
- (v) return his register and the game shooting licence to which it refers to Chief Wildlife Warden or the expiry of that licence or on his leaving the country whichever the earlier;

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

SECTION. 14.

Restriction on number and
use of Game shooting
licence.

No person shall ;

- i) hold more than one valid small game shooting licence at any time;
- ii) transfer a game shooting licence or any kind to another person;
- iii) make use of a game shooting licence of any kind that has been issued to another person.

SECTION. 15.

Game capture licences.

- 1) The Chief Wildlife Warden may grant to any person or may refuse without assigning any reason for his refusal a game capture licence and before granting such a licence he may require the applicant to furnish him with proof that :-
 - (i) he has adequate experience of the capture and care of wild animals;
 - (ii) the captive animal is required for a reputable purpose;
 - (iii) the proposed method of capture is suitable,

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

SECTION NO. 16.

Obligation to maintain register & return licence.

Any person who has been granted a game capture licence shall;

- (i) carry it on his person when hunting;
- (ii) maintain a register in the prescribed form;
- (iii) enter any animal caught, or accidentally killed or wounded and lost, in that register within 24 hours of its being caught, or killed, or wounded and lost and enter the date of death of any animal that dies subsequent to being captured;
- (iv) return his register and the licence to which it refers to the Chief Wildlife Warden, within thirty days of the expiry of the licence or on his leaving the country, whichever is the earlier.

SECTION. 17.

Restriction and transfer of Game capture licences.

No person shall;

- i) transfer a game capture licence to any other person;
- ii) make use of a game capture licence which has been issued to another person.

SECTION. 18

Animals to count against game shooting licences and game capture licences.

- 1) Any animal which is killed or wounded and lost, in any circumstances whatsoever, by the holder of a Game shooting licence or a Game capture licence which entitles the holder to kill or capture an animal of that kind, shall count against that licence;
- 2) Any animal which is caught by the holder of Game capture licence which entitles the holder to capture an animal of that kind and which subsequently dies, shall count against that licence.

SECTION. 19.

Animals found dead or killed or caught unlawfully.

Any protected animal or game animal, or the meat and trophies of any protected or game animal that is found dead or dying, or which has been killed or caught other than in accordance with the provisions of a licence or permit issued under the Act, or any Rule made thereunder, shall be the property of the Provincial Government.

SECTION. 20.

Prohibited methods of hunting.

No person shall;

- i) sell, buy, use or have in his possession any gin or similar trap having a jaw length of three or more inches, or any snare or similar contrivances made of wire;
- ii) for the purpose of hunting or assisting in hunting any animal, cause any fire, or drive or surround an animal

- iv) hunt any animal by means of a baited hook;
- v) hunt any animal by means of an explosive projectile bomb or grenade;
- vi) hunt any game by means of any automatic weapon, or a weapon used by the Pakistan Armed Forces or Police;
- vii) hunt any game animal other than birds, hares, stone martens, desert or jungle cats with a shot gun or with rifle of 22 calibre or less;
- viii) hunt any game animal by means of projectile containing any drug or chemical substance have the property of anaesthetising paralyzing stupifying or rendering an animal incapable, whether partly or totally;
- ix) use or have in his possession any poison or like injurious substance for the purpose of hunting any game animal;
- x) construct, use, or have in his possession for the purpose of hunting any game animal any pitfall, game pit, trench or ther similar excavation, any net, fence or enclosures, any gin trap, snare or similar devise of a type other than those specified in paragraph(i) of this section; or the device known as bhagwa.
- xi) drive any animal into water for the purpose of incapacitating and killing it;
- xii) hunt any animal during the hours of darkness which for purposes of this para-graph shall mean the period commencing half an hour after sun set and ending half an hour before sub-rise, either with or without the aid of a torch or other artificial light;
- xiii) use any motor vehicle, motor driven vessel, or aircraft to pursue any game animal, or to drive or stamede game animals for any purpose whatsoever;
- xiv) shoot any game animal from any aircraft, motor vehicle rail, trolley, cart or other conveyance or from within 200 yards of any aircraft, motor vehicle rail, trolly, cart or other conveyance;

Provided that:-

- a) it shall not be an offence to use a motor vehicle or aircraft to drive any animal away from an aerodrome or airstrip.
- b) the Chief Wildlife Warden may, at his discretion authorise the holder of a game capture licence issued under section 15 of this Act to employ one or more of the methods of hunting specified in paragraphs(viii), (x), (xi), (xii) or (xiii) of the Section, in which case he will endorse the game capture licence accordingly.

SECTION.21.
Restriction methods
of hunting.

- 1) No person shall, unless he be in possession of a special permit so to do:-
 - (i) Hunt any game animal by means of hawk or falcon.
 - (ii) employ a call bird or live decoy in the hunting of any game birds;
 - (iii) employ of dog in the hunting of any game animal except for flushing and retrieving game birds and hares.

2) The holder of a special permit issued under section No.1 of this Section shall be restricted in the number of game animals that may be killed by the means specified on that special permit together with all other means combined, to the total specified in column II of Part I of the first schedule, and shall be likewise subject to the limitations of time and season specified in column III thereof.

SECTION 22.

Controlled hunting areas.

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- 1) The Provincial Government may, by notification declare any area to be a controlled hunting area, or declare that any controlled hunting area shall cease to be a controlled hunting area.
- 2) No person shall hunt, kill or capture any game animal in a controlled hunting area unless he is in possession of a permit so to do, hereinafter called a controlled hunting area permit;
- 3) The Chief Wildlife Warden may issue, or refuse without assigning a reason for his refusal, a controlled hunting area permit to any holder of a Game Shooting licence or a Game capture licence issued under this Act and such a controlled hunting area permit shall stipulate,
 - (i) the controlled hunting Area, or part of controlled hunting area to which it applies;
 - (ii) the period of its validity;
 - (iii) any special conditions regarding the method of hunting, killing or capturing that the Chief Wildlife Warden may impose;
 - (iv) any special limitations as to the species number and sex of the game animals that may be hunted, killed or captured, which the Chief Wildlife Warden may deem fit.
- 4) The fee to be paid for controlled Hunting Area permit assessed at a fixed sum for each day of its validity and may differ for different controlled Hunting Area.

SECTION 23.

Defence of life and property.

- (1) Notwithstanding any other provisions of this Act it shall not be an offence:
 - (i) for any person to kill any animal by any means in the immediate defence of his own life or that of any other person;
 - (ii) for the owner of livestock or his employee to kill any animal that is doing damage to that livestock by any means where the livestock is enclosed.

Provided that paragraphs (i) (ii) of Sub-Section (1) of this section shall not apply to any unlawful cultivation in a national park, wildlife reserve, Wildlife Sanctuary or a reserved or protected forest or to any livestock illegally grazing or herded therein.

(2) The killing or capturing of any protected animal or game animal under the provisions of sub-section (1) of this section shall be reported to the nearest competent authority with the least possible delay.

(3) The meat and trophies of any protected or game animal killed under sub-section (1) of this Section shall be property of the Provincial Government & shall be disposed of according to the directions of Chief Wildlife Warden.

SECTION 24.
Certificate of
lawful possession.

- 1) The Chief Wildlife Warden or the officer authorised by him may issue a certificate of lawful possession to any person who is in lawful possession of any animal, trophy or meat.
- 2) No person shall be in possession of any animal, trophy or meat of a kind specified in the second schedule to this Act unless he be in possession of a certificate of lawful possession in respect thereof;

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

- 3). The Chief Wildlife Warden or the officer authorised by him, may mark or register, or cause to be marked or registered any animal, trophy or meat in respect of which a certificate of lawful possession is issued in any manner he may deem fit, or he may seize, pending the taking of legal action under this Act, any animal, trophy or meat which he is not satisfied has been legally imported or acquired.

4). Any person who:-

- i) fails to apply for a certificate of lawful possession for any animal, trophy or meat for the possession of which a certificate of lawful possession is required or
- ii) counterfeits changes or in any way interferes with any mark or registration put on any animal, trophy or meat for which a certificate of lawful possession has been issued, or alters or in any way changes a certificate of lawful possession, shall be guilty of an offence.

SECTION 25.
Restriction of transfer of
animals, trophies or meat.

1). No person shall transfer by gift, sale or otherwise to any other person any animal, trophy or meat of a kind specified in the second schedule to this Act unless he be in possession of a certificate of lawful possession in respect thereof, and that such certificate shall be 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 animal, trophy or meat of a kind specified in the second schedule to this Act unless he shall receive at the same time as the animal, trophy or meat a valid certificate of lawful possession in respect thereof.

SECTION 26.
Restriction on import
of animals, trophies,
or meat.

1. No person shall import or attempt to import into the Northern Areas any live wild animal of any exotic or exotic species, or any trophy or meat of a kind specified in the second schedule of this Act, except:-

- (i) through a customs port of entry into Pakistan;
- ii) he produces to the customs officer satisfactory proof that such animal trophy or meat has been lawfully exported from the country or export;
- (iii) he produces an import permit issued under this Act.

- 2) It shall be the duty of customs officer to detain any live wild animal, or any trophy or meat of a kind specified in the second schedule to this Act until the documents required by paragraphs (ii) and (iii) of Sub-Section (1) of this Section have been surrendered to him, and if those documents are not surrendered forfeited and disposed of in accordance with the instructions of the Chief Wildlife Warden.

SECTION 27.

Restriction of export of animal, trophies or meat.

- 1) No person shall export, or attempt to export any animal, trophy or meat of a kind specified in the second schedule to this Act except;
- 1) through a customs port of exit from Northern Areas.
 - ii) he produce to the customs officer an export permit issued under this Act.
2. The Chief Wildlife Warden or any officer authorized by him in this behalf may issue, or refuse without assigning any reason for his refusal, an export permit to the lawful possession of any animal, trophy or meat of a kind specified in the second schedule to this Act and on receiving such export permit the owner of the wild animal, trophy or meat shall immediately surrender the certificate of lawful possession relating thereof.

SECTION 28.

Restriction of dealing in animals, trophies or meat.

1. No person shall as profession, trade or business, buy, sell, or otherwise deal in animals, trophies or meat or process or manufacture goods or articles from trophies or meat, unless he be in possession of a valid permit so to be issued by the Chief Wildlife Warden or any officer authorized by him in this behalf hereinafter called a Dealers permit.
2. The Chief Wildlife Warden or any officer authorized by him in this behalf may grant, or may refuse without assigning any reason, which shall entitle that person to deal in any animal, trophy or meat or any class of animal, trophies or meat specified in that permit.
3. A Dealer's permit shall be valid for a period of one year from the date of issue and shall be subject to the fee specified. For the purpose of assessing fees dealers may be divided into different classes and a different fee may be prescribed for each class.
4. The holder of a dealer's permit shall maintain such register or records of his dealings as the Chief Wildlife Warden may require and shall produce them for inspection at any reasonable time when called upon to do so.
5. Nothing in this section shall be construed to absolve the holder of a Dealer's permit from complying with the provisions of Section 24, 25, 26 and 27.

SECTION 29.

Unlawful possession of animals, trophies or meat.

- 1) Any person who is in possession of any animal, trophy or meat that is the property of the Provincial Government or which has not been obtained in accordance with the provisions of this Act, shall be guilty of an offence.
- 2) When any person is charged with being in possession of any animal, trophy or meat which is the property of the Provincial Government or which has been obtained in contravention of this Act, and proof of possession is given, the onus shall lie on the person charged to prove that such animal, trophy or meat was lawfully come by.

SECTION 30.

Powers of search, seizure and arrest without warrant.

- 1) If any officer or any other person, authorized by the Provincial Govt; in this behalf has reasonable grounds for believing that any person has committed an offence against this Act he may;

- 1) require that person to produce for inspection any animal, trophy or meat in such person's possession or any fire-arm, weapon, trap, net, poison, or any instrument, material or thing of any sort in relation to, or in connection with which an offence appears to such officer to have been committed or any licence, permit or other document required to be held by such person under the provisions of this Act, or any rule made under it,
- ii) enter and search any land, building, tent, shelter vehicle, aircraft, boat or any place in the occupation of such person and open and search any baggage or any other thing in the possession of such person;
- iii) seize and detain any animal, trophy or meat which appears to such officer to be the property of the Provincial Government or any vehicle, aircraft boat or transport animal, or any firearm or other weapon, trap, snare, net, poison or any instrument, material or thing in relation to or in connection with which an offence appears to such officer to have been committed or which appears to have been used in or for the purpose of the commission of an offence whether or not it is in the immediate possession of any person;
- iv) arrest and detain any person appearing to such officer to have committed an offence. Provided that the power to arrest and detain any person appearing to have committed an offence shall be searched only by an officer or other person who has been specially empowered to do so by the Provincial Government.

2. Any person detained or thing seized under the powers conferred by sub section(1) of this section shall, subject to the provisions of sections 31 and 32 of this Act, be forthwith taken before a competent court or to the officer in charge of the nearest Police station.

3. Any officer may:

- (i) stop and detain any person he sees doing an act for which a licence or permit is required under this Act and require such person to produce such licence or permit;
- (ii) erect temporary barrier across any road or public place and require any person approaching such barrier to stop and permit the officer to carry out such search of any vehicle or baggage that he may deem fit.

4. Any person who is called on to stop under the provisions of Sub-section(3) of this Section and who fails to do so or who fails to comply with any reasonable order of the officer stopping him, or who gives a false name, or any false information to such officer, shall be guilty of an offence.

SECTION 31.

Powers to release an arrested person on bond.

1) Any officer or person on whom such powers have been conferred, who has arrested, or whose subordinate have arrested any person under the provisions of section 30 of this Act, may release such person on his executing a bond to appear, if and when so required, before the court having jurisdiction in the case or at the nearest Police station.

SECTION 32.

1) Any officer on whom such powers have been conferred may:-

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- (1) accept from any person against whom a reasonable suspicion exists that he has committed an offence a sum of money by way of compensation for that offence;
- (ii) if any property has been seized as having been used in connection with that offence, accept from that person a sum of money equivalent to the value of that property, as assessed by that officer;
- 2) On payment of such the suspected person if in custody shall be released, the property seized shall be returned and no further proceedings shall be taken against such person in regard to the offence of which he is regarded as being guilty, or in regard to the property that has been released.
- 3) The sum of money accepted as compensation under section (1)(i) of this section shall in no case exceeds the sum of Rs.5,000/- (Rupees Five thousand only)
- 4) No officer shall have power to compound a second or subsequent offence under this Act.

SECTION 33.
Offences.

Any person who:

- (i) commits a breach of any section of this Act, or who fails to comply with the conditions thereof;
 - (ii) commits a breach of or fails to comply with the conditions or any Rule made under this Act,
 - (iii) commits a breach of or fails to comply with the conditions of any licence or permit issued under this Act;
 - (iv) fails to comply with any lawful order given to him under any power conferred by this Act;
 - (v) interferes with an officer in the execution of his duties;
 - (vi) actively aids or abets a person to do any of the acts specified in paragraphs (i) to (v) of this Section;
- Shall be guilty of an offence.

SECTION 34.
Penalties.

- 1) Any person who is found guilty of an offence against;
 - (i) Violation of the provisions of sections 13, 14, 16, 17, 24 & 26 of this Act shall render the offender punishable with imprisonment which may extend to one year or a fine which may extend to ten thousand rupees, or with both such imprisonment and fine, together with the cancellation of any licence or permit held under this Act for a specified period of time;
 - (ii) Violation of the provisions of sections 6, 7, 8, 9, 10, 20, 21, 22, 25, 27, 28, or 29 of this Act shall render the offender punishable with imprisonment which may extend to two years, or a fine which may extend to two thousand rupees, or with both together with the cancellation of any licence or permit held under this Act and recovery of shooting fee for the game specified in this Act.
- 2) Any person found guilty of contravening any provision of this Act or of any rule made thereunder for the contravention of which no special penalty is provided shall be punished with imprisonment which may extend to six months or with a fine which may extend to five hundred rupees, or with both;
- 3) whoever having been already convicted of any offence against the Act is again convicted thereunder, shall be punished with imprisonment or a fine which may extend to double that laid down for the category of the second offence and any firearm, vehicle or thing of any sort used in the commission of the offence shall be forfeited & he shall be debarred from holding any licence or permit issuable under this Act for a period of 3 years.

SECTION 35.

Prosecution of offence
under any other law.

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

SECTION 36.

Duty of Ambarbars, village
Headmen etc. to report
offences.

Every public servant as defined in Pakistan Penal Code be found in the absence of reasonable excuse to to give any officer, or any person empowered in this behalf by a Provincial Government information in respect of any snaring, trapping, netting or of any un-authorized hunting, killing or capturing of animals or any other offence under this Act, committed within the limits of his jurisdiction, as soon as the commission of such offence comes to his knowledge.

SECTION 37

Procedure regarding
perishable property
seized under section 30.

Notwithstanding anything contained within this act, an officer may sell any property seized under the provisions of section No. 30 of this Act which is liable to speedy decay and shall deal with the proceeds as he would have dealt with such property had it not been sold.

SECTION 38.

Protection of action
taken under this Act.

No suit prosecution of other legal proceedings shall lie against any officer for anything done in good faith or intended to be done in pursuance of any provisions of this Act.

SECTION 39.

Provincial Government
may invest officers
with certain powers.

Provincial Government may invest any officer, or any other person authorised in this behalf with all or any of the following powers:-

- i) the power of a civil court to compel the attendance of witnesses & the production of documents or other evidence;
- ii) the power to hold an enquiry into offences under this Act & in the course of such enquiry to receive & record evidence;
- iii) the power to issue a search warrant under the code of Criminal Procedure 1898;
- iv) the power to prosecute a case before a Magistrate;
- v) the power to release an arrested person on bond;
- vi) the power to compound an offence.

SECTION 40.

Duties of Police
Officers.

Any Police officer shall on a request being made by any person employed under this act, assist him in due discharge of his duties under this Act.

SECTION 41
Courts to hear cases

- 1) No Court inferior to that of a Magistrate of the first class shall try any offence punishable under this Act, provided that the Provincial Government may also invest Forest Officers of NPS 17 and above with Magistrial powers for trial of such offences under this Act as may be specified;
- 2) The Provincial Government may appoint special Magistrates to try offences under this Act and may set up mobile courts as and when necessary
- 3) A District Magistrate or any other Magistrate of the First Class specially empowered in this behalf by the Provincial Government may try summarily, under the Code of Criminal Procedure 1898, any offence punishable under this Act.
- 4) No court shall take cognizance of any offence under this Act except on the complaint of an officer, or of any person authorized by the Provincial Government in this behalf.

SECTION 42
Delegation of powers by Provincial Govt. and Chief Wildlife Warden

- 1) The Provincial Government may delegate all or any of the powers or duties conferred upon it under the provisions of this Act to any officer subordinate to it.
- 2) The Chief Wildlife Warden may delegate or assign in writing any of the powers or duties conferred upon him by the provisions of this Act to any officer or to any honorary officer.

SECTION 43
Powers to vary schedules

The Provincial Government may by notification in respect of any area add to, alter, vary or amend the I schedule to this Act.

SECTION 44
Powers to grant exemption

Notwithstanding anything contained in this Act a Provincial Govt. may, for any scientific or public purpose, allow by notification the hunting, killing or capturing of any specified animal, by any specified means, in any specified place.

SECTION 45
Powers to make rules

- 1) The Provincial Government may, make rules for the purpose of carrying into effect the provisions of this act.
- 2) In particular, and without prejudice to the general of the foregoing power, such rules may:
 - i) prescribe the powers and duties of officers, honorary officers and other persons employed under this Act;
 - ii) prescribe the forms to be used for and the procedure to be followed in respect of any application, licence, special licence, permit, special permit, certificate, register, return or other documents to be made, issued, granted or kept under the provisions of this Act;
 - iii) prescribe the fee to be paid for any licence, special licence, permit, special permit, or certificate to be granted or issued under this act, the manner, terms and conditions under which they may be granted or issued and the authority or officer that may grant or issue them;
 - iv) specify the maximum number of licences or permit of any kind that may be issued in any locality or in any period of time;

(Continued on page 15)

v) control the actions of the visitors to National Parks, Wildlife reserves or Wildlife sanctuaries for the use of any facilities therein;

vi) prescribe rewards that may be paid to persons who render help in the detection of offences under this act;

Notwithstanding anything contained in the Forest Act-1927, a Provincial Government may make Rules for the management of national Parks, Reserves and Sanctuaries or controlled hunting areas in Reserved or protected forests.

(4) All rules made by a Provincial Government under this act, shall be published and shall thereupon, so far as they are consistent with this Act, have effect as if enacted therein.

SECTION 40.

Repeal of enactments.

The enactments in the following schedule are hereby repealed to the extent specified in the fourth column thereof:

NO.	SHORT TITLE	EXTENT OF REPEAL
1917	The Wildlife Birds and animals Protection Act	The whole
1941	Gilgit Agency Game Rules Jammu and Kashmir Game Preservation Act	" "

Notwithstanding the repeal of the enactments specified in sub section(1) of this section everything done, action taken, obligation, liability, penalty or punishment incurred, enquiry or procedure commenced, officer appointed or person authorised or jurisdiction conferred, and licence, notification or order issued under any provisions of the said enactments or of any rules made thereunder, shall continue in force and, so far as may be, deemed to have been respectively done, taken, incurred, commenced, appointed, conferred, made or issued, under this Act and any enactment or document referred in to any of the said provisions shall, as far as may be, construed to refer to this act and to the corresponding provision thereof.

Sd/- (ATAULLAH)
PROVINCIAL GOVERNMENT
NORTHERN AREAS
GILGIT

Wherever found but subject to the provisions of Part II & Section 22 of this Act.

1st Nov to 1st March

Wed, Sub. and gazetted holidays from 1st Nov. to 1st March.

Tetrao gallus tibetanus Tibetan Snow Cock

Tetrao gallus himalayensis Himalayan Snow Cock

Arborophila atrorufis. White checked kill partridge. Unlimited but not more than 3 birds in any one day.

Amurois phoenicurus. White breasted Moor
Charadrioides plover. Sandpiper
Vandellus leucorhis. White tailed lapwing.
Capella nemoricola Woodsnip.

Capella solitaria Solitary snipe.
Capella stenure Pine-tail snipe
Capella minima. Jack snipe
Capella media. Great snipe
Rostratula. Painted snipe
Rostratula benghalensis.

Rubricas. Stone curlew & Stone Plover

Pteroclididae. Sandgrouse
Sirrhantes tibetanus. Tibetan sandgrouse.
Pterocles eructus. Indian sandgrouse
Pterocles familiaris.otted sandgrouse.
Pterocles orientalis. Imperial or Black bellied sandgrouse.

Pterocles coronatus. Coronetted sandgrouse.
Pterocles indicus. Close barred or painted sandgrouse.

Columbidae Pigeons. Green Pigeon & Dove
All species of Pigeons, Green Pigeons and Doves, other than the genus Ducula Imperial Pigeons which are protected.
Lepus Hares Cape Hare
Lepus capensis
Lepus nigricollis Indian Hare

Unlimited, but not more than 6 per day.

Unlimited but not more than 3 birds in any one day.

Unlimited but not more than ten snipe of all spp. combined in any one day.

Unlimited but not more than one of each day.

Unlimited but not more than ten sandgrouse of all species combined (except P. alchata) which is protected in any one day.

Unlimited, but not more than ten birds of all species combined in one day.

All year round

Unlimited but not more than five animals of the genus Lepus in any one day.

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SECOND SCHEDULE.

(Sections 24, 25, 26 and 27)

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 live game animal.
- (2) Any trophy or meat derived from a protected animal.
- (3) The horns of Ibex, Markhors, Urial or Marco-polo-sheep.
- (4) The skins of stone marten, jungle cat, Otter, Brown bear, Black Bear, Markhor, Ibex, Urial and Marco-polo-sheep.