

<p><b><i>THE ORIGINAL BANGLADESH WILDLIFE PRESERVATION ORDER 1973</i></b></p>	<p><b><i>THE DRAFT AMENDED BANGLADESH WILDLIFE PRESERVATION ORDER 2008</i></b></p>	<p><b><i>NOTE</i></b></p>
<p>GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS (Law Division) NOTIFICATION</p> <p>No.195-Pub.--28th March, 1973-- The following Act made by the President, on the advice of the Prime Minister, of the People's Republic of Bangladesh on the 27th March, 1973, is hereby published for general information :-</p> <p>GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH MINISTRY OF LAW AND PARLIAMENTARY AFFAIRS (Law Division) President's Order No.23 of 1973 BANGLADESH WILDLIFE (PRESERVATION) (AMENDMENT) ACT, 1974</p> <p>WHEREAS it is expedient to provide for the preservation, conservation and management of wild life in Bangladesh ;</p> <p>Now, THEREFORE, in pursuance of paragraph 3 of the Fourth Schedule to the Constitution of the People's Republic of Bangladesh, and in exercise of all powers enabling him in that behalf, the President is pleased to make the following Order :-</p> <ol style="list-style-type: none"> <li>1. (I) This Act may be called the Bangladesh Wild Life (Preservation) (Amendment) Act, 1974.</li> <li>2. It extends to the whole of Bangladesh.</li> <li>3. It shall come into force at once.</li> </ol> <p>[Published in the Bangladesh Gazette, Extraordinary, Part III, dated the 17th July 1973]</p> <p>BANGLADESH PARLIAMENT</p> <p>The following Acts of Parliament received the assent of the President on the 17th July, 1973, and are hereby published for general information :-</p> <p><b>Act No. XVII of 1973</b></p> <p><b>An Act to amend the Bangladesh Wild Life (Preservation) Order, 1973</b></p> <p>Whereas it is expedient to amend the Bangladesh Wild Life (Preservation)</p>		

<p>Order, 1973(P.O. No. 23 of 1973), for the purpose hereinafter appearing :</p> <p>It is hereby enacted as follows :-</p> <p>1. <b>Short title and commencement</b>---(1) This Act may be called the Bangladesh Wild Life (Preservation)(Amendment) Act, 1973.</p> <p>(2) <b>It shall</b> come into force at once and shall be deemed to have taken effect on the 27th day of March, 1973.</p> <p>[Published in the Bangladesh Gazette, Extraordinary, Part V, dated the 12 February 1974]</p> <p><b>Act No. XVII of 1974</b></p> <p><b>An Act further to amend the Bangladesh Wild Life (Preservation) Order, 1973</b></p> <p>WHEREAS it is expedient further to amend the Bangladesh Wild Life (Preservation) Order, 1973(P.O. No. 23 of 1973), for the purpose hereinafter appearing :</p> <p>It is hereby enacted as follows :-</p> <p>1. <b>Short title</b> --- This Act may be called the Bangladesh Wild Life (Preservation)(Amendment) Act, 1974.</p> <p>2. In this Act, unless there is anything repugnant in the subject or context.-</p>	<p><b>Act No. ....of 2008</b></p> <p><b>An Act further to amend the Bangladesh Wild Life (Preservation) Order, 1973</b></p> <p>WHEREAS it is expedient further to amend the Bangladesh Wild Life (Preservation) Order, 1973 (P.O. No. 23 of 1973) to provide protection, conservation and management of protected areas and wildlife in Bangladesh;</p> <p>It is hereby enacted as follows : —</p> <p><b>CHAPTER I</b> <b>PRELIMINARY</b></p> <p>1. <b>Short title.</b> — This Act may be called the Bangladesh Wildlife (Preservation) (Amendment) Act, 2008</p> <p>2. <b>Definitions.</b> — In this Act, unless there is anything repugnant in the subject or context, —</p> <p>(1) “animal” includes mammals, birds, reptiles, amphibians, fish, other chordates and invertebrates and also includes young and eggs;</p> <p>(2) “animal article” means an article made from any captive animal or wild animal other than vermin, and includes an article or object in which the whole or any part of such animal has been used;</p> <p>(3) “Board” means the Wildlife Advisory Board constituted under sub-section (1)</p>	<p><i>(Changed Preamble)</i></p> <p><i>(46 new definitions)</i></p>
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<p>(a) "capture" means the taking alive of any wild animal ;</p>          <p>(b) "dealer", in relation to wild animals, trophies or meat means any person who, in course of trade or business carried on by him whether on his own behalf or on behalf of any other person,-</p> <ul style="list-style-type: none"> <li>(i) sells, purchases or barter any wild animal, trophy or meat ; or</li> <li>(ii) cuts, carves, polishes, preserves, cleans, mounts or otherwise prepares any animal's trophy or meat ; or</li> </ul>	<p>of Section 4 ;</p> <p>(4) “botanical garden” means a garden established through notification under <b>Section 22</b> for <i>in situ</i> and <i>ex situ</i> conservation of plants;</p> <p>(5) “by-product or derivatives” means any part taken or substance extracted from wildlife, in raw or in processed form and includes stuffed animals and herbarium species;</p> <p>(6) “captive animal” means any animal specified in Schedule I, Schedule II or Schedule III, which is captured or kept or bred in captivity, and shall include cage birds ;</p> <p>(7) “captive-breeding/culture or propagation” means the process of producing individuals under controlled conditions or with human interventions;</p> <p>(8) “capture” means the taking alive of any wild animal ;</p> <p>(9) “Chief Wildlife Warden” means the forest officer appointed as such under subsection (1) of Section 3;</p> <p>(10) “circus” means an establishment, whether stationary or mobile where animals are kept or used wholly or mainly for the purpose of performing tricks or maneuvers;</p> <p>(11) “collaborative management” means a situation in which two or more social actors negotiate, define and guarantee amongst themselves a fair sharing of the management functions, entitlements and responsibilities for a given territory, area or set of natural resources.</p> <p>(12) “community conservation area” means any private or community land declared as such for protecting fauna, flora and traditional or cultural conservation values and practices under Section 21 ;</p> <p>(13) “conservation” means preservation and sustainable utilization of wildlife resources, and/or maintenance, restoration and enhancement of the habitat;</p> <p>(14) “critically endangered species” refers to a species or subspecies that is facing extremely high risk of extinction in the wild in the immediate future;</p> <p>(15) “dealer” in relation to wild animals, trophies or meat and specified plants means any person who, in course of trade or business carried on by him whether on his own behalf or on behalf of any other person, —</p> <ul style="list-style-type: none"> <li>(i) farms, sells, purchases or barter any wild animal, animal article, trophy, uncured trophy, or meat; or</li> <li>(ii) cuts, carves, polishes, preserves, cleans, mounts or otherwise prepares any</li> </ul>
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<p>(iii) manufactures any article from trophies or meat ;</p> <p>(c) "game reserve" means an area declared by the Government as such for the protection of wild life and increase in the population of important species wherein capturing of wild animals shall be unlawful ;</p> <p>(d) "Government" means the Government of the People's Republic of Bangladesh ;</p> <p>(e) "hunt" means –</p> <p>(i) killing, capturing, poisoning, snaring and trapping of any wild animal and any attempt to do so ; or</p> <p>(ii) driving any wild animal for any of the purposes specified in sub clause (i) ; or</p> <p>(iii) injuring or destroying or taking any part of the body of such wild animal or taking of nests or eggs of wild birds and reptiles ;</p>	<p>wild animal's trophy, uncured trophy or meat ; or</p> <p>(iii) manufactures any article from trophies or meat ;or</p> <p>(iv) acquire, cultivates, collects, keeps, manufactures, purchases, sells and/or receives any plants specified in Schedule IV or part or derivative thereof;</p> <p>(16) "eco-park" means an area established through notification under Section 22 for conservation of flora and fauna in its natural habitat and also providing recreational facilities for visitors through nature interpretation;</p> <p>(17) "endangered species" refers to a species or subspecies that is not critically endangered but it is facing a very high risk of extinction in the near future.</p> <p>(18) "endemic species" means species or subspecies which is naturally occurring and found only within specific areas in the country;</p> <p>(19) "exotic species" means species or subspecies which do not naturally occur in the country;</p> <p>(20) "ex-situ conservation" means the conservation of components of biological diversity outside their natural habitats;</p> <p>(21) "forest produce" shall have the same meaning as in sub-clause (b) of clause (4) of Section 2 of the Forest Act, 1927 (XVI of 1927);</p> <p>(22) "Government" means the Government of the People's Republic of Bangladesh, represented by the concerned Ministry;</p> <p>(23) "Government property" means property referred to in Sections 7,10 and 60;</p> <p>(24) "habitat" includes land, water, or vegetation which is the natural home of any wild animal.;</p> <p>(25) "hunting", with its grammatical variations and cognate expressions, includes —</p> <p>(i) killing or poisoning of any wild animal or captive animal and any attempt to do so;</p> <p>(ii) capturing, coursing, hawking, snaring, shooting, trapping, driving or baiting any wild or captive animal and any attempt to do so;</p> <p>(iii) injuring or destroying or taking any part of the body of such wild animal, or in the case of wild birds or reptiles, damaging the eggs of such birds or reptiles, or disturbing the eggs or nests of such birds and reptiles;</p> <p>(26) "in-situ conservation" means the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated</p>	
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<p>(f) "license", "special license", "permit" and "special permit" mean respectively, a license, a special license, a permit or a special permit granted or issued under this Act or the rules made thereunder ;</p> <p>(g) "meat" means fat, blood, flesh or any edible part of a wild animal, whether fresh or preserved ;</p> <p>(h) "national park" means comparatively large areas of outstanding scenic and natural beauty with the primary object of protection and preservation of scenery, flora and fauna in the natural state to which access for public recreation and education and research may be allowed ;</p> <p>(i) "offence" means an offence punishable under this Act or under any rule made thereunder ;</p> <p>(j) "officer" means any person appointed in this behalf to carry out all or any of the purposes of this Act or to do anything required by this Act or any rule made thereunder to be done by an officer, and includes a Forest Officer as defined in clause (2) of section 2 of the Forest Act, 1927 (Act No. XVI of 1927), and such other persons as may be authorized by the Government, carry out such purpose or to do such thing as the Government may specify ;</p>	<p>species, in the surroundings where they have developed their distinctive properties;</p> <p>(27) "landscape zone" means a defined area outside the boundaries of and contiguous to designated sanctuary, national park, safari park, eco park and botanical garden that needs special development and control in order to avoid or minimize harm to these areas, and notified as such in the official gazette under section 23;</p> <p>(28) "licence" and "special licence" means a licence or a special licence respectively issued under this Act or under any rule made thereunder;</p> <p>(29) "manufacturer" means a person who manufactures articles from any wild animal or plant specified in Schedules I, II and IV, as the case may be;</p> <p>(30) "meat" includes blood, bones, sinew, eggs, shell, or carapace, fat and flesh with or without skin, whether raw or preserved or cooked, of any wild animal or captive animal other than a vermin;</p> <p>(31) "migratory species" means the entire population or any geographically separate part of the population of the species or lower taxon of wild animals, a significant proportion of whose members cross one or more national jurisdictional boundaries;</p> <p>(32) "national park" means comparatively large area of outstanding scenic and natural beauty declared through notification by the Government under Section 20 with the primary object of protection and preservation of scenery, flora and fauna in the natural state to which access for public recreation and education and research may be allowed;</p> <p>(33) "notification" means a notification published in the Official Gazette;</p> <p>(34) "offence" means an offence punishable under this Act or any rule made thereunder;</p> <p>(35) "officer" means any person appointed in this behalf to carry out all or any of the purposes of this Act or to do anything required by this Act or any rule made thereunder to be done by an officer, and includes a forest officer as defined in clause (2) of Sub-section 2 of the Forest Act, 1927 (XVI of 1927), and such other persons as may be authorized by the Chief Wildlife Warden to carry out such purpose or to do such thing as the Chief Wildlife Warden may specify thereunder;</p> <p>(36) "private park" means any private recreational park, recognized and notified under Section 24, established by a person for the purpose of recreation, amusement, picnic or education on a commercial basis but excludes town or municipality parks;</p> <p>(37) "permit" and "special permit" means a permit or a special permit respectively</p>	
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<p>(k) "prescribed" means prescribed by rules made under this Act ;</p> <p>(l) "private game reserve" means an area or private land set aside by the owner thereof for the same purpose as a game reserve and declarer as such under Article 24 ;</p> <p>(m) "schedule" means a Schedule appended to this Act ;</p>	<p>granted under this Act or any rule made thereunder;</p> <p>(38) "person" includes a particular individual or group of individual or a farm;</p> <p>(39) "prescribed" means prescribed by rules made under this Act;</p> <p>(40) "protected area" means a botanical garden, eco-park, sanctuary, national park or safari park, notified under the provisions of Chapter IV and deemed protected area under Section 77;</p> <p>(41) "private farm" means a private place, which is established under a licence issued by Chief Wildlife Warden for the purpose of rearing, breeding and management of wild animals and also for the purpose of research, recreation and trade;</p> <p>(42) "re-export" means export of any specimen that has previously been imported;</p> <p>(43) "reserved forest" means the forest declared to be reserved by the Government under Section 20 of the Forest Act, 1927, (XVI of 1927);</p> <p>(44) "safari park" means an area, declared through notification by the Government under Section 22, as such having fencing all around where wildlife resources will be protected and measures for increasing the population of both indigenous and exotic wildlife species shall be undertaken;</p> <p>(45) "sanctuary" means an area closed to hunting, shooting or trapping of wild animals and declared as such under Section 16 by the Government as undisturbed breeding ground primarily for the protection of wildlife inclusive of all natural resources, such as vegetation , soil and water;</p> <p>(46) "schedule" means a Schedule appended to this Act;</p> <p>(47) "species" means any species, subspecies, or geographically separate population thereof;</p> <p>(48) "specified plant" means any plant specified in Schedule IV;</p> <p>(49) "specimen" means:</p> <p>(i) any animal or plant, whether alive or dead;</p> <p>(ii) in the case of an animal: for species included in Schedule I and II, and any readily recognizable part or derivative thereof; and</p> <p>(iii) in the case of a plant: for species included in Schedule IV, and any readily recognizable part or derivative thereof;</p> <p>(50) "taxidermy" with its grammatical variations and cognate expressions, means the curing, preparation or preservation or mounting of trophies;</p> <p>(51) "threatened species" means to denote species or subspecies considered as critically endangered, endangered, vulnerable or other accepted categories of</p>	
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<p>(n) "trophy" means any dead wild animal or any horn, antler, tooth, tusk, bone, claw, hoof, skin, hair, feather, egg, shall or other durable part of a wild animal whether or not included in a manufactured or processed article ;</p> <p>(o) "wild animal" means any vertebrate creature, other than human beings and animals of usually domesticated species or fish and includes the eggs of birds and reptiles ; and</p> <p>(p) "wild life sanctuary" means an area closed to hunting, shooting or trapping of wild animals and declared as such under Article 23 by the Government as undisturbed breeding ground primarily for the protection of wild life inclusive of all natural resources, such as vegetation, soil and water.</p>	<p>wildlife whose population is at risk of extinction;</p> <p>(52) "trade" means the act of engaging in the exchange, exportation or importation, purchase or sale of wildlife, their derivatives or by-products, locally or internationally;</p> <p>(53) "trophy" means the whole or any part of any captive animal or wild animal other than vermin, which has been kept or preserved by any means, whether artificial or natural, and includes -</p> <p>(i) rugs, skins and specimens of such animals mounted in whole or in part through a process of taxidermy, and</p> <p>(ii) antler, bone, carapace, shell, horn, hair, feather, nail, tooth, tusk, musk, eggs, nests and honeycomb;</p> <p>(54) "vehicle" means any conveyance used for movement on land, water or air and includes buffalo, bull, bullock, elephant and horse used as such;</p> <p>(55) "vermin" means any animal specified in Schedule III;</p> <p>(56) "vulnerable species" refers to species or subspecies that is not critically endangered nor endangered but is facing high risk of extinction in wild in near future;</p> <p>(57) "weapon" includes air guns, ammunition, arrows and bows, explosives, firearms, <i>goolty</i>, hooks, knives, nets, poison, snares, traps and any tool, instrument or apparatus capable of anaesthetizing, decoying, destroying, injuring, stupefying, paralyzing or killing an animal;</p> <p>(58) "wetland" means an area of marsh, fen, peat land or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low does not exceed six meters;</p> <p>(59) "wild animal" means any animal other than vermin, found wild in nature and also includes any animal specified in Schedule I and Schedule II, wherever found;</p> <p>(60) "wildlife" means wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred or propagated or cultivated and shall specifically include wild animals mentioned in Schedule I and II and also specified plants as mentioned in Schedule IV but shall not include vermin as specified in Schedule III, but also includes insects, crustacean, fish and eggs;</p> <p>(61) "Wildlife Warden" means the person appointed as such under sub-section (3) of Section 3;</p> <p>(62) "zoo" means an establishment of the Government or private, recognized under Section 28, whether stationary or mobile, where captive animals are kept for</p>	
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<p>3. (1) The Government may, for the purposes of this Act, appoint such officers and honorary officers to assist the officers as it considers necessary.</p> <p>(2) Except as otherwise prescribed, an honorary officer shall exercise all the powers of an officer and shall hold office for a period of three years unless his appointment is earlier revoked.</p> <p>4. (1) As soon as may be, after the coming into force of this Act, the Government shall constitute, by notification in the official Gazette, a Board to be called as the Bangladesh Wild Life Advisory Board, consisting of such members as the Government may deem necessary to appoint.</p>	<p>exhibition to the public and includes a circus and rescue centers but does not include an establishment of a licenced dealer in captive animals.</p> <p style="text-align: center;"><b>CHAPTER II</b> <b>AUTHORITIES TO BE APPOINTED UNDER THIS ACT</b></p> <p><b>3. Appointment of Chief Wildlife Warden and other officers.-</b></p> <p>(1) The Government may, for the purposes of this Act, appoint a forest officer as Chief Wildlife Warden not below the rank and status of Deputy Chief Conservator of Forests. In respect of administration the Chief Wildlife Warden shall be the head of wildlife in Bangladesh.</p> <p>(2) The Government may, for the purposes of this Act, appoint a forest officer not below the rank of Deputy Conservator of Forests as Additional Chief Wildlife Warden, who shall assist the Chief Wildlife Warden.</p> <p>(3) The Government may, for the purposes of this Act, appoint forest officers not below the rank of Conservator of Forests as Wildlife Warden, and all territorial Divisional Forest Officers responsible for their respective divisions shall act as ex-officio Wildlife Warden within his jurisdiction.</p> <p>(4) Chief Wildlife Warden and Wildlife Warden shall perform their duties and exercise their powers by or under this Act, and in doing so they shall be subject to such general or special directions as the Government may from time to time give.</p> <p><b>4. Constitution of Wildlife Advisory Board:</b></p> <p>(1) The Government shall, for the purpose of the Act, constitute, by notification in the official Gazette, a Board to be called as the Bangladesh Wildlife Advisory Board, consisting of the members of the following agencies or as the Government may deem fit,-</p> <ul style="list-style-type: none"> <li>(a) Ministry of Environment and Forest;</li> <li>(b) six members of Parliament, representing six divisions, nominated by the Government;</li> <li>(c) Ministry of Land;</li> <li>(d) Ministry of Agriculture;</li> <li>(e) Ministry of Local Government;</li> <li>(f) Ministry of Fisheries and Livestock;</li> <li>(g) Planning Commission;</li> <li>(h) representative from Prime Minister's Office not below the rank of Joint Secretary;</li> <li>(i) representative from Bangladesh Army not below the rank of Brigadier General;</li> </ul>	<p><i>(Changed)</i></p> <p><i>(Changed)</i></p>
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<p>(2) The Bangladesh Wild Life Advisory Board shall perform such functions as the Government may assign to it.</p> <p>5. (1) The wild animals specified in the First Schedule shall be known as "game animals" and shall not be hunted, killed or captured, save in accordance with the terms of a permit.</p> <p>(2) The wild animals specified in the Third Schedule to this Act shall be known as "Protects Animals" and shall not be hunted, killed or captured save as otherwise expressly provided in this Act.</p> <p>21. (1) Notwithstanding any other provisions of this Act, it shall not be an offence-</p>	<p>(j) Police (Admin); (k) Bangladesh Rifle's; (l) Forest Department; (m) Department of Environment; (n) Department of Tourism; (o) Department of Livestock Services; (p) Forest Research Institute; (q) two representatives of Non Governmental Organization, nominated by the Government; (r) two persons to be nominated by the Government from amongst eminent conservationists, ecologists and environmentalists.</p> <p>(2) The Bangladesh Wildlife Advisory Board besides duties assigned by this Act shall perform such function as the government may assign to it.</p> <p>(3) The Board may, by its direction, constitute a Standing Committee and other committees or sub committees as may be necessary, from time to time for the purpose of exercising such functions and performing such duties assigned to it.</p> <p style="text-align: center;"><b>CHAPTER III</b> <b>PROTECTION OF WILDLIFE (WILD ANIMALS AND SPECIFIED PLANTS)</b></p> <p><b>5. Determination of threatened species.</b> — (1) The Chief Wildlife Warden shall determine whether any wildlife species or subspecies is threatened, and classify the same as critically endangered, endangered, vulnerable or other accepted categories based on the best scientific data and due regard to the internationally accepted criteria and shall revise the relevant schedule time to time.</p> <p><b>6. Prohibition of hunting wild animals.</b> ---No person shall hunt any wild animal specified in Schedule I and II except as provided under section 7 and section 9;</p> <p><b>7. Hunting of wild animals to be permitted in certain cases.</b> — (1) Notwithstanding anything contained in any other law for the time being in force and subject to the provisions of Section 18, if the Chief Wildlife Warden is satisfied that any wild animal specified in Schedule I and II -</p>	<p>(New)</p> <p>(Changed)</p> <p>(Some similarity with Sec. 21 of the existing law)</p>
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<p>(a) for any person to kill any wild animal by any means in defense of his own life or that of any other pets-on;</p> <p>(b) for the owner of any standing crops to kill any means within the bounds of such crops, any wild animal causing material damage to such crops;</p> <p>(c) for the owner Of livestock or his employee to kill any wild animal causing damage to the live stock in any way within a reasonable distance of where that livestock is grazing or where it is enclosed for the night:</p> <p>Provided that paragraphs (b) and (c) shall not apply to any unlawful occupation of, or cultivation in, a national park, wild life sanctuary, or a reserved or protected forest or to any livestock illegally grazing or herded therein.</p> <p>(2) The killing under clause (1) of any wild animal specified in the First or Third Schedule shall be reported to the nearest officer immediately.</p> <p>(3) The meat or trophy, or any protected or game animal killed under this Article shall be the property of the Government and shall be disposed of in such manner as may be prescribed.</p>	<p>(a) has become dangerous to human life or to property (including livestock or material damage to standing crops or any land) ; or</p> <p>(b) is so disabled or is afflicted with an incurable and/or communicable disease; or</p> <p>(c) necessary in the interest of scientific or any public purpose;</p> <p>(s)he may, by order in writing, stating the reasons thereof, specifying the means to be used and the place wherein, permit any person to hunt such animal or cause the animal to be hunted:</p> <p>Provided that no wild animal shall be ordered to be killed unless the Chief Wildlife Warden is satisfied that such animal cannot be captured, tranquillised or translocated:</p> <p>Provided further that no such captured animal shall be kept in captivity unless the Chief Wildlife Warden is satisfied that such animal cannot be rehabilitated in the wild and the reasons for the same are recorded in writing.</p> <p>(2) The killing or wounding in good faith of any wild animal in defence of oneself or any other person, shall not be an offence:</p> <p>Provided that nothing in the sub-section shall exonerate any person who, when such defence becomes necessary, was committing any act in contravention of any provision of this Act or any rule or order made there under.</p> <p>(3) Any wild animal killed or wounded in defence of any person shall be Government property.</p> <p>(4) It shall not be an offence to use a motor vehicle or aircraft to drive any wild animal away from an aerodrome or airstrip when such action is necessary to ensure the safety of aircraft using that aerodrome.</p> <p><b>8. Prohibition of picking, uprooting, etc. of specified plants.</b> — Save as otherwise provided in this Act, no person shall —</p> <p>(a) wilfully pick, uproot, damage, destroy, acquire or collect any specified plant, mentioned in Schedule IV, from any forest land and protected area specified;</p> <p>(b) possess, sell or transfer by way of gift or otherwise, or transport any such specified plant, whether alive or dead, or part or derivative thereof:</p> <p>Provided that nothing in this section shall prevent any indigenous community and local people, subject to the provisions of this Chapter, from picking, collecting or possessing in the protected area or landscape zone he resides any specified plant or part or derivative thereof for his benefited personal or</p>	<p>Sec 21</p> <p>(New)</p>
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	<p>traditional or ritual use.</p> <p><b>9. Grant of permit for special purpose.</b> — (1) The Government may, in consultation with the Board, grant a permit, by an order in writing stating the reasons thereof and conditions therein, to any person, on payment of such fee as may be prescribed, which shall entitle the holder of such permit to hunt any wild animal, mentioned in Schedule I or II or manufacture any article from any animal parts, meat, trophy or uncured trophy and/or to pick, uproot, acquire or collect any specified plant mentioned in Schedule IV, or manufacture any article from part or derivative thereof, from a forest land or to transport such wildlife, for the purpose of, -</p> <ul style="list-style-type: none"> <li>(a) education;</li> <li>(b) scientific research;</li> <li>(c) scientific management.</li> </ul> <p><i>Explanation:-</i> For the purpose of (c), the expression, “scientific management” means –</p> <ul style="list-style-type: none"> <li>(i) translocation of any wild animal to an alternative suitable habitat ; or</li> <li>(ii) population management of wildlife, without killing or poisoning or destroying any wild animals and specified plants;</li> </ul> <p>(d) collection, preservation and display of specimens –</p> <ul style="list-style-type: none"> <li>(i) for botanical gardens and recognised zoos subject to the provisions under Section 23 and Section 28; or</li> <li>(ii) for museums, herbarium of any scientific and similar institutions;</li> </ul> <p>(e) derivation, collection or preparation of snake-venom for the manufacture of life saving drugs; and</p> <p>(f) propagation by any person or an institution approved by the Government in this regard.</p> <p>(2) The Chief Wildlife Warden or any officer empowered in this behalf by the Chief Wildlife Warden may suspend any permit granted under sub-section (1) of section 9 at any time and if he suspends it, he shall record in writing the reasons thereof and intimate such suspension to the holder of the permit and report the same to Chief Wildlife Warden immediately, and the Chief Wildlife Warden shall inform the matter to the Government.</p>	(New)
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| <p>6. (1) No person shall ---</p> <p>(a) (i) hunt any wild animal by means of a set-gun, drop spear, deadfall, gun trap, an explosive projectile bomb, grenade, electrical contrivances, a baited book or any other trap whatsoever ;</p> <p>(ii) hunt any game animal by means of an automatic weapon of a caliber used by the Bangladesh Army, Bangladesh Rifle or Police Force, a shot gun, rifle of 22 caliber or less, or a projectile containing any drug or chemical substance having the property of anesthetizing, paralyzing, stupefying or rendering a wild animal crippled whether partly or totally ;</p> <p>(b) (i) use any motor vehicle, motor driven vessel, watercraft of any type of aircraft or any other manually or mechanically propelled vehicle of any type to pursue any game animal, or to drive or stampede game animals for any purpose whatsoever ;</p> <p>(ii) use or have in his possession any poison or like injurious substance for the purpose of hunting a game animal ;</p> <p>(iii) shoot any game animal from any aircraft, motor vehicle, rail trolley cart, boats or any kind of watercraft or any other conveyance ;</p> <p>(iv) hunt with the help of live decoys, call birds or any other artificial contrivances ;</p> <p>(c) construct or use or have in his possession any pitfall, game pit, trench or similar excavation or any fence or enclosure, of set fire to any vegetation or any other contrivance for the purpose of hunting any game animal.</p> <p>(2) It shall not be an offence to use a motor vehicle or aircraft to drive any wild animal away from an aerodrome or airstrip when such action is necessary to ensure the safety of aircraft using that aerodrome ;</p> <p>(3) An officer may grant capture licence and allow employment of a method of hunting specified in clause (I).</p> <p>7. No person shall possess or use Hawks for hawking, or possess or user dogs for coursing, the game animals specified in the First Schedule except under a special license.</p> |  |  |
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<p>8. (1) If, in any place, any wild animal whether protected or game animal or meat or trophy of such wild animal which is found dead or dying or which has been killed or caught or bred in captivity or kept in possession of any body by any means otherwise than in accordance with the provisions of this Act shall be the property of the Government.</p> <p>(2) No person shall, by any means, acquire or keep in his possession or custody or control or transfer to any person by way of gift or sale, or destroy, or otherwise damage, such Government property without previous written permission from the authorized officer.</p> <p>9. (1) Any person having the control, custody or possession of any wild animal or meat or trophy of any wild animal shall, within such period as the Government may be notification in the official Gazette, specify declare to an officer the number and description of such wild animal, meat or trophy and the place where it is kept.</p>	<p><b>10. Declaration of wildlife to be Government property.</b> — (1) Every —</p> <ul style="list-style-type: none"> <li>(a) wild animal specified in Schedule I and II, which is hunted or kept or bred in captivity in contravention of any provisions of this Act or any rule or notification/order made thereunder, or found dead or dying, or killed by mistake;</li> <li>(b) by-product or derivative i.e. animal article, trophy or uncured trophy or meat derived from any wild animal referred to in clause (a) in respect of which any offence against this Act or any rule or notification/order made thereunder has been committed;</li> <li>(c) specified plant mentioned in Schedule IV or part or derivative thereof, which has been uprooted, collected or acquired from any protected area not in accordance with law; and</li> <li>(d) vehicle, vessel, weapon, trap or tool that has been used for committing an offence and has been seized under the provision of this Act, shall be the property of the Government.</li> </ul> <p>(2) Any person who obtains, by any means, the possession of any Government property mentioned in sub-section (1) of section-10, shall, within forty-eight hours of obtaining such possession, report it to the nearest police station or officer authorized by the Chief Wildlife Warden in this behalf or forest officer and shall, if so required, hand over, such property to the officer-in-charge of such police station or forest officer or such authorised officer as the case may be.</p> <p>(3) No person shall, without the previous permission in writing of the Chief Wildlife Warden or the officer authorised by him in this behalf;</p> <ul style="list-style-type: none"> <li>(a) acquire or keep in his possession, custody, or control, or</li> <li>(b) transfer to any person, whether by way of gift, sale or otherwise, or</li> <li>(c) destroy or damage any items described in Section 10 (1) (a)-</li> <li>(d) above.</li> </ul> <p><i>(Changed &amp; similarity with Sec. 9 of the existing law)</i></p> <p><b>11. Declaration of stock and mark of registration.</b> — (1) Any person having the control, custody or possession of any wild animal specified in Schedule I and II or animal article or meat or trophy or uncured trophy of any such wild animal, or any specified plant mentioned in Schedule IV or part or derivative thereof, shall, within thirty days from the date of commencement of this Act, declare to an officer the number and description of stock of such wild animal, animal article, meat, trophy, uncured trophy or specified plant or part or derivative thereof and the place where it is kept.</p> <p>(2) On receipt of such declaration, the officer shall enter upon the premises of such person in the prescribed manner and such person shall produce the declared stock</p>	<p><i>Changed &amp; some similarity with Sec. 8 of the existing law)</i> Section 8</p> <p>Sec 9</p>
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<p>(2) On receipt of such declaration, the officer shall enter upon the premises of such person in the prescribed manner and such person shall produce the declared wild animal, meat or trophy for inspection and verification before such officer ; and if the declaration is found correct, the officer shall fix upon or put such mark of registration on such wild animal, meat or trophy as may be prescribed as lawful possession.</p> <p>(3) No person shall counterfeit exchange or in any way interfere with any mark of registration fixed or put on by the officer on any wild animal, meat or trophy.</p> <p>(4) The officer, shall, on being satisfied that the requirements of clauses (1) and (2) have been fulfilled, issue, in the prescribed manner, a Certificate of Lawful Possession of such wild animal, meat or trophy.</p> <p>(5) The authorized officer may, pending legal action, seize any wild animal meat or trophy which has not been legally acquired or imported under this, Act.</p> <p><b>10. Any person who –</b></p> <p>(a) fails to make <sup>a</sup> declaration under clause (I) of Article 9, or</p> <p>(b) conceals in such declaration any material fact, or</p> <p>(c) counterfeits, exchanges or in any way interferes with any mark of registration fixed or put on any wild animal, meat or trophy, for which Certificate of Lawful Possession has been issued, or alters or in any way changes a certificate or ownership, shall be guilty of an offence.</p>	<p>for inspection and verification before such officer and if the declaration is found correct and the source is found legal, the officer shall fix upon or put such mark of registration on such stock as may be prescribed as lawful possession.</p> <p><b>12. Certificate of lawful possession.</b> — The Chief Wildlife Warden or his designated officer, upon being satisfied that the requirements of sub-sections (1) and (2) of Section 11, have fulfilled, shall issue, within thirty days from the date of declaration, a Certificate of Lawful Possession in such form, as may be prescribed, to any person who, in his opinion, is in lawful possession of any wild animal or animal article (other than vermin), trophy, or uncured trophy, or any specified plant or part or derivative thereof and may, where possible, mark, in the prescribed manner, such wild animal, animal article, trophy or uncured trophy, or any specified plant or part or derivative thereof, for the purpose of identification:</p> <p>Provided that before issuing the Certificate of Lawful Possession in respect of any captive animal, the Chief Wildlife Warden shall ensure that the applicant has sufficient financial ability and adequate facilities for housing, maintenance and upkeep of the animal.</p> <p><b>13. Power to seize.</b> — Any Officer, authorized in this behalf by the Chief Wildlife Warden, may pending legal action, seize any wild animal, captive animal, animal article, meat, trophy or uncured trophy, or any specified plant or part or derivative thereof which has not been legally acquired, collected, received, kept or imported under this Act.</p> <p><b>14. Prohibited activities.</b> — Any person who —</p> <p>(a) fails to make a declaration under sub-section (1) of Section 11; or</p> <p>(b) conceals in such declaration any material fact; or</p> <p>(c) counterfeits, exchanges or in any way interferes with any mark of registration fixed or put on any wild animal, animal article, meat, trophy or uncured trophy, or any specified plant or part or derivative thereof for which Certificate of Lawful Possession has been issued, or alters or in any way changes a Certificate of Lawful Possession,</p> <p>(d) purchases, receives or acquires any wildlife or its by-product or derivatives otherwise than from a licensed dealer,</p>	<p><i>(Changed &amp; similarity with Sec. 9 of the existing law)</i> Sec 9 (4)</p> <p><i>(Changed &amp; similarity with Sec. 9 of the existing law)</i> Sec 9 (5)</p> <p><i>(Changed &amp; similarity with Sec. 10 of the existing law)</i> Sec 10</p>
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<p>11. (I) No person shall transfer by gift, sale or otherwise to any other person any wild animal, meat or trophy of any kind unless he is in possession of a certificate of Lawful Possession of respect thereof.</p> <p>(2) No person shall receive by gift, purchase or otherwise any wild animal trophy or meat unless he receives at the same time a valid Certificate, of Lawful Possession in respect thereof.</p>	<p>(e) engages in purchasing and selling of any migratory species, shall be guilty of an offence.</p> <p><b>15. Regulation of transfer.</b> – (1) Except as provided for the terms of an approved wildlife management plan and as authorized under the terms of Section 9, no person having in his possession any captive animal, wild animal, animal article, other than vermin, trophy or uncured trophy, or any specified plant or part or derivative thereof, in respect of which he has a Certificate of Lawful Possession, shall transfer by way of sale or offer for sale or by any other mode of consideration of commercial nature, or gift or otherwise, such animal or animal article or trophy or uncured trophy, or any specified plant or part or derivative thereof.</p> <p>(2) Where a person transfers or transports from the place in which he resides to another place or acquires by transfer from outside the place of residence, any such animal, animal article, trophy or uncured trophy, or any specified plant or part or derivative thereof, in respect of which he has a Certificate of Lawful Possession, he shall, within thirty days of transfer or transport, report the transfer or transport to the office of the Wildlife Warden within whose jurisdiction the transfer or transport is effected.</p> <p>(3) Nothing in this section shall apply to transfer of captive animals between recognised zoos subject to the provision of Section 29, and transfer amongst zoos and public museums.</p> <p>(4) Before granting any permission under sub-section (1) or sub-section (3), the Chief Wildlife Warden or any officer authorized by him in this behalf officer shall satisfy himself that the animal, article, plant or part or derivative thereof, referred to therein has been lawfully acquired.</p> <p>(5) While permitting the transfer or transport of any animal, animal article, trophy or uncured trophy, or any specified plant or part or derivative thereof, as is referred to in sub-section (1), the Chief Wildlife Warden or any officer authorized by him in this behalf shall-</p> <p>(a) issue a Certificate of Lawful Possession after such inquiry as he may deem fit;</p> <p>(b) where the Certificate of Lawful Possession existed in the name of the previous owner, issue a fresh Certificate of Lawful Possession in the name of the person to whom the transfer has been effected; and</p> <p>(c) affix an identification mark on any such animal, animal article, trophy or uncured trophy or any specified plant or part or derivative thereof.</p>	<p><i>(Changed &amp; similarity with Sec. 11 of the existing law)</i> Sec 11</p>
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<p>23. (1) The Government may, by notification in the official Gazette, declare any are to be wild life sanctuary.</p> <p>(2) No person shall-</p>	<p style="text-align: center;"><b>CHAPTER IV</b> <b>PROVISIONS ON PROTECTED AREAS</b></p> <p><b>16. Declaration of Sanctuary.-</b>  (1) The Government, after having consultation with the local community, may by notification, declare any Government forests or part of such forests or any Government land or the territorial waters as a sanctuary, specifying the boundaries or limits as such, if it considers that such area is of adequate ecological, faunal, floral, geomorphological, natural or zoological significance, for the purpose of protecting, propagating or developing wildlife or its habitat and environment.  (2) The sanctuary to be declared under sub-section (1) may be named as wildlife sanctuary, bird sanctuary or wetland sanctuary in accordance with the object of management plan of the sanctuary.  (3) The determination of specifying the limits of the area of the territorial waters as sanctuary shall be done after taking adequate measures to protect the occupational rights of local boatmen and fishermen and the traditional and legal rights of the local community.  (4) In any sanctuary, no person other than the following persons, shall enter or reside- <ul style="list-style-type: none"> <li>(i) an officer on duty;</li> <li>(ii) a person who has a permit issued by the Chief Wildlife Warden or the authorized officer for special purpose;</li> <li>(iii) a participant of any conservation program or member of the collaborative management council or committee as mentioned in sub-section(2) of Section 19.</li> <li>(iv) a person passing through the sanctuary along a public highway;</li> <li>(v) a tourist within a designated area of a sanctuary used for the purpose of eco-tourism;</li> <li>(v) the dependants of the person referred to in clause (i),(ii) or (iii).</li> </ul> </p> <p><i>(Changed &amp; similarity with Sec. 23(2) of the existing law)</i>  <b>17. Prohibited activities in sanctuary.</b> — Unless otherwise allowed in accordance with this Act, no person shall - <ul style="list-style-type: none"> <li>(i) enter or reside in any sanctuary, except as provided in sub-section (4) of</li> </ul> </p>	<p><i>(Changed &amp; similarity with Sec. 23(1) of the existing law)</i>  Sec 23(1)</p>
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<p>(i) enter or reside in any wild life sanctuary; or</p> <p>(ii) cultivate any land in any wild life sanctuary; or</p> <p>(iii) damage or destroy any vegetation in any wild life sanctuary ; or</p> <p>(iv) hunt, kill Or capture any wild animal in any wild life sanctuary or within one mile from the boundaries of a wild life sanctuary; or</p> <p style="padding-left: 40px;">(iv) introduce any exotic species of animal into a wild life sanctuary; Or</p> <p style="padding-left: 40px;">(v) introduce any domestic animal or allow any domestic animal to stray into a wild life sanctuary; or</p> <p style="padding-left: 40px;">(vi) introduce any exotic species of animal into a wild life sanctuary, or</p> <p>(vii) cause any fire in a wild life sanctuary; 'or</p>	<p>Section 16; or</p> <p>(ii) cultivate any land within the limits of any sanctuary; or</p> <p>(iii) undertake any industrial operation; or</p> <p>(iv) damage or destroy any vegetation or any plant in and taking out from any sanctuary; or</p> <p>(v) hunt, collect or possess unlawfully any wild animal mentioned in Schedules I, II and III or any animal article, meat, trophy or uncured trophy, or any specified plant mentioned in Schedule IV or any part or derivative thereof, in or the landscape zone of a sanctuary; or</p> <p>(vi) set fire or kindle any fire, or leave any fire burning in a sanctuary; or</p> <p>(vii) enter into a sanctuary with any weapon except for the previous permission in writing of the Chief Wildlife Warden or the officer empowered by him in this behalf; or</p> <p>(viii) use chemicals, explosives or any other substances or weapon, which may cause injury to, destroy, disturb or endanger, any wildlife or its habitat in a sanctuary; or</p> <p>(ix) introduce any exotic or invasive species of animal or plant into a sanctuary; or</p> <p>(x) introduce any domestic animal or allow any domestic animal to stray into a sanctuary;</p> <p>(xi) dump any waste products detrimental to sanctuary or wildlife or inhabitants therein;</p> <p>(xii) squat or occupy any portion of a sanctuary;</p> <p>(xiii) dig any land of a sanctuary for the purpose of gas and mineral exploration and/or extraction or quarrying;</p> <p>(xiv) clear, fell trees or log in a sanctuary except subsidiary silvicultural operations required for naturally regenerating of the stock;</p> <p>(xv) introduce, reintroduce or restock any wildlife in a sanctuary;</p> <p>(xvi) trade wildlife in a sanctuary;</p> <p>(xvii) destroy, gather, exploit or remove any forest produce in and from the sanctuary;</p> <p>(xviii) cause damage in any way to any habitat of wildlife in a sanctuary;</p> <p>(xix) transport wildlife not in accordance with the Act in a sanctuary;</p> <p>(xx) divert, pollute or stop water, flowing in and through, or other natural resources in a sanctuary; and</p> <p>(xxi) alter, damage, destroy, deface or remove boundary marks or signs and</p>	<p>Sec 23(2)</p>
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<p>(viii) pollute water flowing in or through a wild life sanctuary:</p> <p>Provided that Government may, for scientific purposes or for aesthetic enjoyment or betterment of scenery, relax all or any of the prohibitions specified above.</p>	<p>roads or trails or other structures in a sanctuary:</p> <p>Provided that, the Government may, by notification specifying the reasons thereof, relax all or any of the prohibition specified above, either for scientific purposes or for aesthetic enjoyment or betterment or improvement of the scenery or management of wildlife therein:</p> <p><b>18. Grant of permit.</b> – (1) The Chief Wildlife Warden or any officer authorized by him in this behalf may, on application, grant to any person a permit to enter or reside in a sanctuary for all or any of the following purposes, namely:</p> <ul style="list-style-type: none"> <li>(a) investigation or study of wildlife and purposes ancillary or incidental thereof ;</li> <li>(b) photography ;</li> <li>(c) scientific research ;</li> <li>(d) eco-tourism;</li> <li>(e) transaction of lawful business with any person residing in the sanctuary.</li> </ul> <p>(2) A permit to enter or reside in a sanctuary shall be issued subject to such conditions and on payment of such fee as may be prescribed.</p> <p><b>19. Control of sanctuaries and provisions on collaborative management:-</b></p> <p>(1) The Chief Wildlife Warden shall be the authority responsible to control, manage and maintain all sanctuaries as per the management plan, and for that purpose, within the limits of any sanctuary, (s)he shall,</p> <ul style="list-style-type: none"> <li>(a) construct such roads, bridges, buildings, fences or barrier gates, boundary marks and carry out such other works as he may consider necessary for the purposes of better management of such sanctuary :</li> </ul> <p>Provided that no construction of commercial tourist lodges, hotels, zoos, eco-parks and safari parks shall be undertaken inside a sanctuary except having consent from the local community and with the prior approval of the Board and an environmental impact assessment;</p>	<p>(New)</p> <p>(New)</p>
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(3) The Government may declare any area to be a national park where the following acts shall not be allowed, namely:-

- (b) take such steps as will ensure the security and safety of wildlife resources and their habitats;
- (c) take such measures, in the interests of protection of wildlife, as (s)he may consider necessary for the improvement of any habitat, protection of breeding ground and prevention of disturbance during breeding season;
- (d) regulate, control or prohibit, the grazing or movement of livestock in the sanctuary and take such measures and in such manners as may be prescribed, for immunisation against communicable diseases of the livestock kept in or within five kilometres of the sanctuary;
- (e) prohibit such activities detrimental to the surrounding environment of the sanctuary;
- (f) evict any person from sanctuary who unauthorisedly occupies any part of it in contravention of the provisions of this Act.
- (2) The Government, in order to promote collaborative management and conservation of selected sanctuary established under this Act, may frame appropriate rule through gazette notification, which shall include the following, amongst others;
  - (i) recognition (constitution) of collaborative management council/ committee for the purpose of protection, improved management and sustainable use of wildlife resources and habitat;
  - (ii) entering into an agreement with collaborative management council/ committee specifying rights and authorities of such council/ committee and also responsibility of such council /committee for protection, improved management and sustainable use of wildlife resources and habitat;
  - (iv) the agreement shall also provide for sharing of cash and in-kind income from sanctuary amongst the contracting parties and also provide the details of the tenure, renewal, duties of collaborative management council/ committee.

**20. Declaration of National Park.** — (1) The Government, after having consultation with the local community, may declare any area, by a notification, specifying the boundaries and limits as such, for reasons of its ecological, faunal, floral, geomorphological, or zoological or botanical association or importance, as national park or for the purpose of conserving, protecting, propagating, or developing wildlife or its habitats therein or its environment.

*(Changed & similarity with Sec. 23(3) of the existing law)*  
Sec 23(3)

<p>-(i) hunting, killing or capturing" any wild animal in a national park and within the radios of one mile 'outside its boundary;</p> <p>(ii) firing any gun or doing any other act which may disturb any wild animal or doing any act which may interfere with the breeding places of any wild animal;</p> <p>(iii) feeling, tapping, burning or in any way damaging or destroying, taking, collecting or removing any plant or tree therefrom;</p> <p>(iv) clearing or breaking up any land for cultivation, mining or for any other purpose;</p> <p>(v) polluting water flowing in and through the national park:</p> <p>Provided that the Government may, for scientific purposes Of for betterment, of the national park or for aesthetic enjoyment of scenery or for any other exceptional reasons, relax all or any of the prohibitions specified above.</p> <p>(4) Construction of access roads rest houses and hotels and provision of amenities for the public shall be so planted as may not impair the primary object of the establishment of a national park.</p> <p>(5) The Government may declare any area to be a game reserve and \ allow hunting and shooting of wild anim1ls under a special permit wherein the minimum number of the wild animals to be killed are the area and /the duration for which suc'l permit shall remain valid shall be specified.</p> <p>(6) Such alterations in the boundaries of wild life sanctuaries, national parks and game reserves may be affected as the Government may approve.</p>	<p>(2) The provisions of sub-section (3) and (4) of Section 16 and Sections 17 to 19 (both inclusive) shall apply in relation to national park as they apply to a sanctuary;</p> <p>Provided that, the Government, by notification specifying the reasons thereof, relax all or any of the prohibition specified above, either for scientific purpose or for aesthetic enjoyment or betterment or improvement of the scenery or management of wildlife therein.</p> <p><b>21. Declaration of community conservation area.</b> – (1) The Government may upon request of land owners, declare, by notification, any private or community land not comprised within the designated protected area consisting of landscape zone, as a community conservation area, where the community or an individual has volunteered any area, for the purpose of protecting fauna, flora and traditional or cultural conservation values and practices in the manner not derogatory to sustainable development.</p> <p>(2) The provisions of Sections 17 and 18 shall, apply in relation to community conservation area as they apply to a sanctuary.</p> <p>(3) After the issuance of notification under sub-section (1), no change in the land use pattern shall be made within the community conservation area, except in accordance with a resolution passed by the collaborative management committee/council of any community conservation area and approval of the same by the Board;</p> <p>Provided that, the Government may, by notification specifying the reasons thereof, relax all or any of the prohibition specified above, either for scientific purposes or for aesthetic enjoyment or betterment or improvement of the scenery or management of wildlife therein.</p>	<p>(New)</p>
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	<p><b>22. Declaration of Safari Park, Eco-park and Botanical Garden.</b> —(1) The Government, after having consultation with the local community, may declare or establish, by notification, any government owned area as safari park, eco-park or botanical garden, for the purpose of conservation <i>in-situ</i> or <i>ex-situ</i> of wildlife resources and their habitats therein and where access to public may be allowed for research, recreational and/or educational purposes.</p> <p>(2) The provisions of sub-sections (3) and (4) of Section 16 and Sections 17 to 19 (both inclusive) shall, apply in relation to any such safari park, eco-park or botanical garden, as they apply to a sanctuary;</p> <p>Provided that, the Government may, by notification specifying the reasons thereof, relax all or any of the prohibition specified above, either for scientific purposes or for aesthetic enjoyment or betterment or improvement of the scenery or management of wildlife therein.</p> <p>)</p> <p><b>23. Declaration of Landscape zone</b> — (1) The Government may after having consultations with the local communities, declare, by notification, any area, outside the boundaries of and contiguous to designated protected area that needs special development and control in order to avoid or minimize harm to these areas, as a landscape zone;</p> <p>Provided that local communities will have adequate representation in collaborative management council / committee formed under the provision of sub-section(2) of Section 19 or any rule made there under for that particular designated protected area.</p> <p>(2) After the issuance of notification under sub sections (1) no change in the land use pattern shall be made within the landscape zone, except in accordance with resolution passed by the collaborative management committee or council of that particular protected area and subsequent approval of the same by the ex-officio Wildlife Warden of that jurisdiction.</p> <p><b>24. Reporting in Annual "State of the Protected Areas".-</b> The Government shall issue an annual report on the state of the protected areas, in which the status and conservation trends of each of the protected areas is presented. This report shall be made easily available to the general public.</p>	<p>(New)</p> <p>(New)</p> <p>(New) (Point 24 twice written)</p>
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	<p style="text-align: center;"><b>CHAPTER V</b> <b>MANAGEMENT OF PRIVATE RECREATION PARK</b></p> <p><b>24. Recognition of private recreational parks.</b> – (1) No private recreational parks which are established or to be established by private owners for development of recreational facilities through preservation of native flora and fauna in the park areas shall be operated without being recognised, through notification, by the Chief Wildlife Warden;</p> <p style="padding-left: 40px;">Provided that a private recreational park established before the date of commencement of this Act may continue to operate without being recognised for a period of eighteen months from the date of such commencement and if the application seeking recognition is made within that period, the park may continue to be operated until the said application is finally decided or withdrawn and in case of refusal for a further period of six months from the date of such refusal.</p> <p>(2) On and after the commencement of this Act a private recreational park shall not be established without obtaining the prior approval of the Chief Wildlife Warden.</p> <p>(3) All private recreational park established on and after the commencement of this Act or got recognition through application should be operated as per the management plan prepared in this respect in consultation with and approved by the Chief Wildlife Warden.</p> <p>(4) Every application for recognition of a private recreational park shall be made to the Chief Wildlife Warden in such form and on payment of such fee as may be prescribed and also with an environmental impact assessment.</p> <p>(5) No recognition to a private recreational park shall be granted unless the Chief Wildlife Warden having due regard to the interests of protection and conservation of flora, fauna and their habitat, and such standards, norms and other matters as may be prescribed, is satisfied that recognition should be granted.</p> <p>(6) Every recognition shall specify the conditions, if any, subject to which the applicant shall operate the private recreational park.</p> <p>(7) No application for recognition of a private recreational park shall be rejected unless the applicant has given a reasonable opportunity of being heard.</p> <p>(8) The Chief Wildlife Warden, for reason to be recorded by it, suspend or cancel any recognition granted under sub-section (6);</p> <p style="padding-left: 40px;">Provided that no such suspension or cancellation shall be made except after</p>	<p><i>(New Chapter)</i></p>
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	<p>giving the person operating the private recreational park a reasonable opportunity of being heard.</p> <p><b>25. Functions of the Government in relation to management of private recreational parks.</b> – The Chief Wildlife Warden or any officer empowered by him shall perform the following functions, namely:</p> <ul style="list-style-type: none"><li>(a) recognise or derecognise private recreational park established for picnic, eco-tourism, and other recreational purposes based on appropriate criteria and performance standards laid out by the Government; and</li><li>(b) evaluate the maintenance of plant and animal species in any such parks as per the standards enumerated for the purpose.</li></ul> <p style="text-align: center;"><b>CHAPTER VI</b> <b>FUNCTIONS IN RELATION TO ZOOS</b></p> <p><b>26. Power of the Board.</b> – (1) The Government may empower the Board constituted under Section 4 to exercise all or any of the powers in relation to the functions in relation to zoos conferred on, and to perform the functions assigned to it under this Act.</p> <p><b>27. Functions of the Board in relation to Zoos.</b> – The Board shall perform the following functions, namely:</p> <ul style="list-style-type: none"><li>(a) specify the minimum standards for housing, upkeep and veterinary care of animals kept in the zoo ;</li><li>(b) evaluate and assess the functioning of zoos with respect to the standards or the norms as may be prescribed ;</li><li>(c) recognise or derecognise zoos ;</li><li>(d) advice zoos for purposes of captive breeding programme of endangered species of wild animals ;</li><li>(e) co-ordinate the acquisition, exchanging and loaning of animals for breeding purposes ;</li><li>(f) evaluate maintenance of stud-books of endangered species of wild animals bred in captivity ;</li><li>(g) identify priorities and themes with regard to display of captive animals in a zoo ;</li><li>(h) perform such other functions as may be necessary to carry out the</li></ul>	<p>(New Chapter)</p>
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	<p>purposes of this Act with regards to zoos.</p> <p><b>28. Recognition of zoos.</b> – (1) No zoo shall be operated without being recognised by the Board :</p> <p>Provided that a zoo is being operated immediately before the date of commencement this Act may continue to operate without being recognised for a period of eighteen months from the date of such commencement and if the application seeking recognition is made within that period, the zoo may continue to be operated until the said application is finally decided or withdrawn and in case of refusal for a further period of six months from the date of such refusal.</p> <p>(2) On and after the commencement of this Act, a zoo shall not be established without obtaining the prior approval of the Board.</p> <p>(3) Every application for recognition of a zoo shall be made to the Board through the Chief Wildlife Warden in such form and on payment of such fee as may be prescribed.</p> <p>(4) Every recognition shall specify the conditions, if any, subject to which the applicant shall operate the zoo.</p> <p>(5) No recognition to a zoo shall be granted unless the Board, having due regard to the interests of protection and conservation of wild life, and such standards, norms and other matters as may be prescribed, is satisfied that recognition should be granted.</p> <p>(6) No application for recognition of a zoo shall be rejected unless the applicant has given a reasonable opportunity of being heard.</p> <p>(7) The Board may, for reason to be recorded by it, suspend or cancel any recognition granted under sub-section (4):</p> <p>Provided that no such suspension or cancellation shall be made except after giving the person operating the zoo a reasonable opportunity of being heard.</p> <p><b>29. Acquisition of animals by a zoo.</b> – (1) Subject to the other provisions of this Act, no zoo shall acquire, sell or transfer any wild animal or captive animal specified in <b>Schedule I and Schedule II</b> except with the previous permission of the Chief Wildlife Warden and intimation to the Board.</p> <p>(2) No zoo shall acquire, sell or transfer any wild or captive animal except from or to a recognised zoo.</p> <p><b>30. Prohibition of teasing, etc., in a zoo.</b> – No person shall tease, molest, injure or feed any animal or cause disturbance to the animals by noise or otherwise, or litter</p>	
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	<p>the grounds in a zoo.</p> <p style="text-align: center;"><b>CHAPTER VII</b>  <b>TRADE IN CAPTIVE ANIMALS, WILD ANIMALS, ANIMAL ARTICLES, TROPHIES AND OTHER WILDLIFE RESOURCES</b></p> <p><b>31. Cultivation for business or dealings in wildlife without licence prohibited.</b>  — (1) Subject to the provisions of <b>Chapter IV</b>, no person shall, except under, and in accordance with, a licence granted under sub-section (4), —</p> <p style="padding-left: 40px;">(a) commence or carry on the business or occupation as —</p> <p style="padding-left: 80px;">(i) a manufacturer of, or dealer in, any animal article; or  (ii) a taxidermist; or  (iii) a dealer in trophy or uncured trophy; or  (iv) a dealer in captive animal; or  (v) a dealer in meat; or  (vi) a dealer in a specified plant mentioned in Schedule IV or part or derivative thereof; or  (vii) a manufacturer of any article made from any specified plant mentioned in Schedule IV or part or derivative thereof;</p> <p style="padding-left: 40px;">(b) cultivate any specified plant for the purpose of business;  (c) cook or serve meat in any eating-house including restaurants;  (d) derive, collect or prepare, or deal in, snake venom:</p> <p>Provided that nothing in this sub-section shall prevent a person, who immediately before the commencement of this Act was carrying on the business or occupation specified in the sub-section, from carrying on such business or occupation for a period of, thirty days in case of wild animal, or sixty days in case of specified plant, or prevent any person who was cultivating for the purpose of business from cultivating for the period of six months from such commencement, or where he made an application within that period for the grant of a licence to him, until the licence is granted to him or he is informed in writing that a licence cannot be granted to him.</p> <p>(2) Every manufacturer of, or dealer of animal article or article made from specified plant or part or derivative thereof, or every dealer in captive animals, trophies or uncured trophies, or every taxidermist shall, within fifteen days from the commencement of this Act, declare to the Chief Wildlife Warden his stocks of animal articles, article made from specified plant or part or derivative thereof, captive animals, trophies or uncured trophies, as the case may be, and from the date of such declaration, the Chief Wildlife Warden or any officer authorized by him in</p>	<p><i>(New Chapter)</i></p>
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	<p>this behalf may, within thirty days, place an identification mark on every animal article, any article made from specified plant or part or derivative thereof, captive animal or trophy or uncured trophy, as the case may be.</p> <p>(3) No licence referred to in sub-section (1) shall be granted unless the Chief Wildlife Warden or any officer authorized by him in this behalf having regard to the antecedents and previous experience of the applicant, the implications which the grant of such licence would have on the status of wildlife and to such other matters as may be prescribed in this behalf and after making such inquiry in respect of those matters as he may think fit, is satisfied that the licence should be granted.</p> <p>(4) Every person referred to in sub-section (1) who intends to obtain a licence shall, make an application to the Chief Wildlife Warden or any officer authorized by him in this behalf for the grant of a licence.</p> <p>(5) (a) Every application referred to in sub-section (4) shall be made in such form and on payment of such fee as may be prescribed, to the Chief Wildlife Warden or the authorised officer.</p> <p>(b) Every licence granted under this section shall specify the area or premises in which and the conditions, if any, subject to which the licensee shall carry on his business.</p> <p>(6) Every licence granted under this section shall –</p> <ul style="list-style-type: none"> <li>(a) be valid for one year from the date of its grant;</li> <li>(b) not be transferable; and</li> <li>(c) be renewable for a period not exceeding one year at a time, subject to the guidelines issued by the Government and upon consultation with concerned groups.</li> </ul> <p>(7) No application for the renewal of licence shall be rejected unless the holder of such licence has been given enough reasonable opportunity of presenting his case and unless the Chief Wildlife Warden or authorised officer is satisfied that –</p> <ul style="list-style-type: none"> <li>(a) the application for such renewal has been made after the expiry of the period specified thereof; or</li> <li>(b) any statement made by the applicant at the time of the grant or renewal of the permit was incorrect or false in material particulars; or</li> <li>(c) the applicant has contravened any term of condition of the licence, or any provision of this Act, or any rule made thereunder; or</li> <li>(d) the applicant does not fulfil the prescribed conditions.</li> </ul> <p>(8) Every order granting or rejecting an application for the grant or renewal of a</p>	
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	<p>licence shall be made in writing.</p> <p>(9) Nothing in the foregoing sub-sections shall apply in relation to vermin.</p> <p><b>32. Suspension or cancellation of licence.</b> – Subject to any general or special order of the Government, the Chief Wildlife Warden or the authorised officer may, for reason to be recorded by him/her in writing, suspend or cancel any licence granted or renewed under <b>Section 31</b>:</p> <p>Provided that no such suspension or cancellation shall be made except after giving the holder of the licence a reasonable opportunity of being heard.</p> <p><b>33. Appeal.</b> – (1)An appeal from an order refusing to grant or renew a licence under <b>Section 31</b> or of an order suspending or cancelling a licence under <b>Section 32</b> shall lie –</p> <p>(a) if the order is made by the authorised officer other than Wildlife Warden, to the Wildlife Warden, or</p> <p>(b) if the order is made by the Wildlife Warden, to the Chief Wildlife Warden, or</p> <p>(c) if the order is made by the Chief Wildlife Warden, to the Government.</p> <p>(2) Subject as an aforesaid, every order passed in appeal under this section shall be final.</p> <p>(3) An appeal under this section shall be preferred by the applicant, within thirty days from the date of the communication:</p> <p>Provided that the appellate authority may entertain any such appeal preferred after the expiry of the period aforesaid if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.</p> <p><b>34. Maintenance of records.</b> – A licensee under this Chapter shall -</p> <p>(a) keep records, and submit such returns of his dealings, as may be prescribed –</p> <p>(i) to the Chief Wildlife Warden or the authorised officer, and</p> <p>(ii) to the Wildlife Warden or any other officer authorised by him in his behalf; and</p> <p>(b) make such records available on demand for inspection by such officers.</p> <p><b>35. Possession of wild animal, specified plant, etc., by licensee.</b> – No licensee under this Chapter shall keep in his control, custody or possession, or sell, offer for sale or transport, or put under a process of taxiderming or make any article from</p>	
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	<p>any captive or wild animal, animal article, meat, trophy or uncured trophy, specified in Schedule I and II, or any specified plant, or part or derivative thereof, specified in Schedule IV, -</p> <p>(a) in respect of which a declaration under the provisions of sub-section (2) of <b>Section 31</b> has to be made but has not been made ;</p> <p>(b) which has not been lawfully acquired, captured, collected, received, picked or uprooted as the case may be, under the provisions of this Act or any rule of order made there under;</p> <p>except in accordance with the conditions subject to which the licence has been granted and such rules as may be made under this Act:</p> <p>Provided that where the acquisition, or possession, or control, or custody of such animal, animal article, trophy or uncured trophy or meat, or such specified plant or part or derivative thereof, entails the transfer or transport from one place to another, no such transfer or transport shall be effected except with the previous permission in writing of the Chief Wildlife Warden or any other officer authorised by him in his behalf:</p> <p>Provided further that no such permission under the foregoing proviso shall be granted unless the Chief Wildlife Warden or the officer authorised by him is satisfied that the animal or article has been lawfully acquired.</p> <p><b>36. Restriction of transportation of wildlife.</b> – No person shall accept any wild animal, other than vermin, or any animal article, meat, trophy or uncured trophy, or any specified plant or part or derivative thereof, for transportation except after exercising due care to ascertain that permission from the Chief Wildlife Warden or any other officer authorised by him in this behalf has been obtained for such transportation.</p> <p><b>37. Purchase of captive animal, wild animal, specified plant, etc. by person other than a licensee.</b> – No person shall purchase, receive or acquire any captive animal, wild animal, other than vermin, or any animal article, trophy or uncured trophy, or meat derived there from, or any specified plant or part or derivative thereof, otherwise than from a licenced dealer or from a person authorised to sell or otherwise transfer the same under this Act:</p> <p>Provided that nothing in this section shall apply to a recognised zoo subject to the provision of <b>Section 29</b> or to a public museum.</p> <p style="text-align: center;"><b>CHAPTER VIII</b>  <b>IMPORT, EXPORT AND RE-EXPORT OF WILD ANIMALS AND SPECIFIED PLANTS</b></p>	
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(New)

<p>12. (1) No person shall import or attempt to import into Bangladesh any live wild animal of an endemic or exotic species, or any trophy or meat of a kind specified in the Second Schedule,-</p> <p>(i) except 'through of entry;</p> <p>(ii) unless he produces to the Customs Officer satisfactory proof that , such wild animal, trophy or meat has been lawfully expQllltd from the country of export;</p> <p>(iii) Unless he produces an Import Permit issued by the Government under this Act.</p> <p>(2) It shall be the duty of a Customs' Officer to detain any live wild animal or any trophy or meat of any kind specified in the Second Screed We Witless the documents required by clause (1) have been produced to him; &amp;8G if those documents are not produced within a reasonable time, TM wild animal, trophy Or</p>	<p><b>38. Designation of Management and Scientific Authorities.</b></p> <p>(1) The Government for the purpose of implementation of International Trade of Wild Fauna and Flora (CITES) may constitute by notification a Scientific Authority comprising not exceeding five members from amongst eminent wildlife experts of the country.</p> <p>(2) The Chief Wildlife Warden for the purpose of implementation of International Trade of Wild Fauna and Flora (CITES) shall function as Management Authority.</p> <p>(3) It shall be the duty of the Management Authority to grant permit in consultation with the Scientific Authority, as and when required for the purpose of export, import or re-export of wildlife resources and their by products and derivatives as specified in Schedule I, II and IV of the Act. Each permit shall contain the title of the CITES convention, the name and identifying stamp of the Management Authority granting it and a control number assigned by the Management Authority.</p> <p>(4) The Management Authority shall take appropriate measures to enforce the provisions of the Act and the conditions laid down in the permit and also to penalize trade in, or possession of, such specimens, or both and to provide confiscation or return to the state of export of such specimens.</p> <p><b>39. Import of wild animals, plants, etc.</b></p> <p>(1) No person shall import or attempt to import into Bangladesh any live wild animal or plants or animal article, trophy or uncured trophy or meat of, an endemic or exotic species, or any trophy or meat of a kind specified in the Schedule I and II or any plant or part or derivative thereof specified in Schedule IV, -</p> <p>(i) except through a customs port of entry ;</p> <p>(ii) unless he produces to the Customs Officer satisfactory proof that such wild animal, trophy or meat or specified plant or part or derivative thereof, has been lawfully exported from the country of export;</p> <p>(iii) unless he produces an Import Permit issued by the Management Authority under this Act.</p> <p>(2) It shall be the duty of a Custom Officer or any other officer authorized in this behalf by the Government to detain any live wild animal or any trophy, uncured trophy or meat of any kind specified in the Schedule I and II or any specified plant</p>	<p><i>(Changed &amp; similarity with Sec. 12 of the existing law)</i></p> <p>Sec 12</p>
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<p>meat, shell be forfeited and disposed of in such ma.. as may be prescribed.</p> <p>13. (1) No person shall export or attempt to export any wild animal, trophy or meat except those mentioned in the First Schedule,-</p> <p>(i) except through a customs port of exit;</p> <p>(ii) unless he produces to the Customs Officer an Export Permit issued by the Government under this Act.</p> <p>(2) An officer may issue, or refuse to issue, without assigning any reason, an Export Permit to the owner having the certificate of Lawful Possession of any wild animal, trophy or meat of any kind specified in the First Schedule, and in case of receipt of such Export Permit the owner of the wild animal trophy or meat shall immediately surrender to the said officer the Certificate of Lawful Possession relating thereto.</p> <p>15.(1) No person shall, with a view to carrying on a profession trade or business, buy, sell or otherwise deal in wild animals, trophies or meat or process or manufacture goods or articles from such trophies or meat unless he is in possession of a valid permit, hereinafter called a Dealer's Permit, issued for the purpose by an officer authorized in this behalf.</p>	<p>or part or derivative thereof as specified in Schedule IV until the documents required by clause (1) have been produced to him/her; and if those documents are not produced within a week, the wild animal, trophy or meat, or any specified plant or part or derivative thereof, shall be confiscated and disposed of in such manner as may be prescribed.</p> <p>(3) Every imported wild animal or specified plant or their by-products or derivatives thereof shall be released from the customs port of entry only after complying all necessary quarantine procedures as prescribed by the Government and for this purpose a Quarantine Certificate shall be issued by the Scientific Authority.</p> <p><b>40. Export of wild animals, specified plants, etc.</b></p> <p>(1) No person shall export, re-export or attempt to export or re-export any live wild animal or animal article, trophy or uncured trophy or meat except those mentioned in the Schedule I and II, or any specified plant or any article made from specified plant or part or derivative thereof except those mentioned in the Schedule IV, —</p> <p>(i) except through a customs port of exit;</p> <p>(ii) unless he produces to the Customs Officer an Export or Re-export Permit issued by the Management Authority under this Act.</p> <p>(2) The Management Authority may issue, or refuse to issue specifying the reason thereof, an Export or Re-export Permit to the owner having the Certificate of Lawful Possession of any wild animal, trophy, uncured trophy or meat of any kind specified in Schedule I and II or specified plant or part or derivative thereof specified in Schedule IV, and in case of receipt of such Export or Re-export Permit, the owner of the wild animal, trophy, uncured trophy or meat or specified plant or part or derivative thereof, shall immediately surrender to the said officer or authority the Certificate of Lawful Possession relating thereto.</p> <p><b>41. Dealer's permit for export, import or re-export.</b></p> <p>(1) No person shall with a view to carrying on a profession, trade or business, buy, sell, farm or otherwise deal, for the purpose of export, import or re-export, in wild animal, animal article, meat, trophies or uncured trophies, or in specified plant or part or derivative thereof or process or manufacture goods or articles from such trophies or meat, mentioned in Schedule I and II, or specified plant or part or derivative thereof mentioned in Schedule IV, unless (s)he is in possession of a valid Dealer's Permit, issued for the purpose by the Management Authority.</p>	<p><i>(Changed &amp; similarity with Sec. 13 of the existing law)</i> Sec 13</p> <p><i>(Changed &amp; similarity with Sec. 15 of the existing law)</i> Sec 15</p>
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<p>(2) An officer may grant, or refuse to grant without assigning any reason a Dealer's Permit to any person to deal in any wild animal, trophy or meat, or any class of wild animals. trophies or meat specified in such permit.</p> <p>(3) A Dealer's Permit shall be issued on payment of the prescribed fee and shall remain valid for a period of one year from the date of its issue unless earlier cancelled.</p> <p>(4) (i) The holder of a Dealer's Permit shall maintain such register or record of his dealings as may be prescribed and shall produce it for inspection at any reasonable time when called upon to do so.</p> <p>(ii) The officer may suspend or cancel Dealer's Permit at any time and if he suspends Or cancels it, he shall record in writing the reason therefor.</p> <p>(5) Nothing in this Article shall be construed to exempt the holder of a Dealer's Permit from complying with the provisions of Articles 3, 9, 11, 12 and 13.</p>	<p>(2) The Management Authority may grant, or refuse to grant specifying the reasons, conditions and place thereof, as the case may be, a Dealer's Permit to any person to deal in any individual or class of wild animal, animal article, trophy, or uncured trophy or meat, or specified plant or part or derivative thereof.</p> <p>(3) A Dealer's Permit shall be issued on payment of the prescribed fee and shall remain valid for a period of one year from the date of its issue unless earlier cancelled.</p> <p>(4) Every such permit may be renewed subject to the guidelines issued by the Scientific Authority and upon consultation with concerned groups.</p> <p>(5) The holder of Dealer's Permit shall maintain such register or record of his dealings as may be prescribed and shall produce it for inspection at any reasonable time when called upon to do so.</p> <p>(6) Subject to any general or special order of the Government, the Management Authority may, for reason to be recorded by it in writing, suspend or cancel any permit granted or renewed under sub section (2) or (4):</p> <p style="padding-left: 40px;">Provided that no such suspension or cancellation shall be made except after giving the holder of the permit a reasonable opportunity of being heard.</p> <p>(7) Nothing in this section shall be considered to exempt the holder of a Dealer's Permit from complying with the provisions of Sections 10, 11, 15, 31, 32, 34, 35, 37, 39 and 40.</p> <p>(8) The Government may prescribe rules or regulations to govern private wildlife culture farm.</p> <p>(9) The holder of a dealer's permit shall not be allowed to established wildlife culture farm unless he fulfils the provision of the rules or regulations prescribed therefore.</p> <p>(10) No person shall be allowed to establish any farm in restricted areas as prescribed therefore.</p> <p><b>(New)</b>  <b>42. Wildlife rescue center.</b> —The Government shall establish or designate wildlife rescue centers to take temporary custody and care of all confiscated, abandoned</p>	
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<p>14. (1) Nothing in this Act Shall apply to any wild animal, trophy or meat in transit through Bangladesh:</p> <p>Provided that the wild animal. trophy or meat-</p> <p>(i) shall be accompanied by the necessary transit customs' documents (ii) shall be entered through a custom port of entry;</p> <p>(iii) shall not be unloaded from t11.e ship or motor Vehicle or any carrier on which it is being carried, or in the case of air transport it shall not leave the precincts of the airport at which it is landed or transshipped without being checked nor shall. except in the case of customs warehouse, remain in such precincts for more than 48 hours.</p>	<p>and/or donated wildlife to ensure their welfare and well-being and shall also formulate guidelines for the disposition of wildlife from the rescue centers.</p> <p><b>43. Creation of wildlife traffic monitoring units.</b>  (1) The Government shall create wildlife traffic monitoring units in strategic air, land and seaports all over the country to ensure the strict compliance and effective implementation of the Act and other laws having bearing on wildlife resources and rules, regulations, guidelines including pertinent international agreements.</p> <p>(2) Custom officers and/or other authorized government representatives assigned at air, land or seaports who may have intercepted wildlife commodities in the discharge of their official functions shall, prior to further disposition thereof, secure a clearance from the wildlife traffic monitoring unit assigned in the area.</p> <p><b>44. Transit of wildlife through Bangladesh.</b> — (1) Nothing in this Act shall apply to any wild animal, animal article, trophy or uncured trophy or meat or any plant or part or derivative thereof, in transit through Bangladesh:</p> <p>Provided that the wild animal, animal article, trophy, uncured trophy or meat, plant or part or derivative thereof —</p> <p>(i) shall be accompanied by the necessary transit customs documents;</p> <p>(ii) shall be entered through a custom port of entry;</p> <p>(iii) shall not be unloaded from the ship or motor vehicle or any carrier on which it is being carried, or in the case of air transport, it shall not leave the precincts, designated specially for the purpose, of the airport at which it is landed or transshipped without being checked nor shall, except in the case of customs warehouse, remain in such precincts for more than forty-eight hours.</p> <p><b>45. Regulation of trade in specimen species included in Schedules I, II and IV.-</b></p> <p>(1) The export, import and re-export of any specimen species included in Schedules I, II and IV shall require the prior grant and presentation of an export, import or re-export permit.</p> <p>(2) The export or re-export and import permit under sub-section (1) shall only be granted when the following conditions have been met:</p> <p>(a) the Scientific Authority has advised that such import, export or re-</p>	<p>(New)</p> <p>(<i>Changed &amp; similarity with Sec. 14 of the existing law</i>)</p> <p>(New)</p>
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<p>31. (1) Any officer not below the rank of Forester or Senior Wild Life Scout may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any offence under this Act.</p> <p>16. An officer may stop any vehicle or vessel and may search without Warrant any person, vessel, vehicle, animal, package, receptacle or covering or any suspected place to satisfy himself as to whether or not an offence against this Act has been committed.</p> <p>17. An officer may seize any wild animal together with any firearm net, trap, snare, bow arrow or any vehicle or vessel or anything whatsoever used or suspected to have been used in the commission of an offence against this Act.</p>	<p>export will not be detrimental to the survival of that species involved;</p> <p>(b) the Management Authority is satisfied that the specimen was not obtained in contravention of the provisions of this Act for the protection of flora and fauna;</p> <p>(c) the Scientific Authority is satisfied that it is necessary for the purpose of conservation <i>in-situ</i> or <i>ex-situ</i> of that species involved; and</p> <p>(d) the Management Authority is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.</p> <p style="text-align: center;"><b>CHAPTER IX</b> <b>PREVENTION AND DETECTION OF OFFENCES</b></p> <p><b>46. Power of entry, stop, search, seize, arrest and detention.</b> —Notwithstanding anything contained in any other law for the time being in force, the Chief Wildlife Warden or any officer authorized by him or any forest officer or any police officer not below the rank of a Sub-Inspector or any other officer specially directed by the Government in this respect, may if he has any reasonable ground for believing that any person has committed an offence against this Act,-</p> <p>(a) arrest any such person without warrant, require any such person, to produce for inspection of any captive animal, wild animal, animal article, meat, trophy, uncured trophy, or any specified plant or part or derivative thereof in his control, custody or possession, or any licence, permit or any other document granted to him or required to be kept by him under the provisions of this Act;</p> <p>(b) stop any vehicle or vessel in order to conduct search or inquiry or enter upon and search any premises, land, vehicle, or vessel in the occupation of such person, and open and search any baggage, package, receptacle or covering or other things in his possession and may search without warrant any person, vessel, vehicle, animal, package, receptacle or covering or any suspected place to satisfy himself as to whether or not an offence against this Act has been committed;</p> <p>(c) seize any captive animal, wild animal, animal article, meat, trophy, uncured trophy, or any specified plant or part or derivative thereof in the possession of any person together with any firearm, net, trap, tool, snare, bow, arrow or any other weapon or any vehicle or vessel or anything whatsoever used or suspected to have been used in the commission of any such offence and unless he is satisfied that</p>	<p><i>(Changed &amp; similarity with Sec. 31(1), 16, 17 of the existing law)</i></p> <p>Sec 31(1),</p> <p>Sec 16</p> <p>Sec 17</p>
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<p>(2) Every officer making an arrest under this article shall, without unnecessary delay and subject to the provisions of this Act as to release on bond, take or send the person arrested before the Magistrate having jurisdiction in the case or the officer-in-charge of the nearest public station.</p>	<p>such person will appear and answer any charge which may be preferred against him, arrest him without warrant and detain him:</p> <p>Provided that where a fisherman, residing within ten kilometers of any protected area, inadvertently enters on a boat not used for commercial fishing, in the territorial waters in any such protected area, a fishing tackle or net or no such boat shall not be seized.</p> <p><b>47. Procedures after arrest and seizure.-</b></p> <p>(1) Notwithstanding anything contained in any other laws for the time being in force, every officer other than a Forest-officer seizing any ivory, animal article, trophy or uncured trophy or meat derived from any wild animal, specified in Schedule I and II or any specified plant or part or derivatives thereof specified in Schedule IV or any vehicle, vessel, weapon, trap or tool that has been used for committing an offence, shall hand over all the seized property along with the accused to the nearest forest-office for further legal proceedings under the provisions of this Act:</p> <p>Provided that a police-officer need not to hand over the accused to the nearest forest-office but shall inform such forest office of the arrest during handing over of the property seized.</p> <p>(2) Any person arrested or detained or things seized under the foregoing power, shall forthwith be taken before a Magistrate to be dealt with according to law under intimation to the Chief Wildlife Warden or the officer authorized by him in this regard.</p> <p>(3) Notwithstanding anything contained in any other law for the time being in force, any Wildlife Warden or any officer not below the rank of Assistant Conservator of Forest or any officer authorized by the Government in this behalf, shall have the powers for the purpose of making investigation into any offence against any provision of this Act to,-</p> <ol style="list-style-type: none"> <li>issue a search warrant;</li> <li>enforce attendance of witness;</li> <li>compel the discovery and production of documents and material objects; and</li> <li>receive and record evidence.</li> </ol> <p>(3) Any evidence recorded under clause (d) of sub-section (3) shall be admissible in any subsequent trial before a Magistrate provided that it has been taken in presence of the accused.</p>	<p><i>(Changed &amp; similarity with Sec. 31(2) of the existing law)</i> Sec 31(2)</p>
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<p>18. Every person in possession of an wild animal or trophy specified in the Second Schedule shall produce his Certificate of Lawful Possession on a demand made by an officer.</p> <p>19. Every purchaser of forest produce, 'persons serving under the Public Works Department, Chaukidars, Dafadars, Village Watchmen, Village Headman, Chairman and members of Union Panchayet, Kanungo and Tashildar shall be bound, in the absOnce of a reasonable excuse, to give to an officer information in respect of any snaring trapping, netting unauthorized killing or any other offence against this Act committed within the limits of his jurisdiction, as soon as the commission of such offence comes to his knowledge.</p> <p>20. Notwithstanding anything contained in this Act any property seized under II Article 17 which is subject to speedy and natural decay the officer seizing such property may sell it and deal with the proceeds thereof in the same manner as he Would have dealt with such property if it would not have been sold.</p> <p>24.(1) Where the Government is satisfied that an area of private land has been dedicated by its owner to the same purposes as a game reserve. the Government, on an application of the owner, declare by notification in the official Gazette, such area to be a private game reserve.</p> <p>(2) The owner of such private game reserve shall within its boundary, exercise all the powers of an officer under this Act.</p> <p>(3) If the Government is satisfied that a private game reserve does not meet the requirements for being treated as such, the Government at any time declare, by notification in the official. Gazette, that it has ceased to be a private game reserve from such date as may be specified in the notification.</p>	<p><b>48. Demand of Certificate of Lawful Possession.</b>— Every person in possession of a wild animal or trophy specified in the Schedule I and Schedule II or any specified plant or part or derivative thereof as specified in Schedule IV, shall produce, within a reasonable time, his Certificate of Lawful Possession on a demand made by an officer failing which shall be guilty of an offence under this Act.</p> <p><b>49. Persons bound to assist under this Act.</b> — Every purchaser of forest produce, persons participated in the co-management schemes, persons serving under the Public Works Department, Chaukidars, Dafadars, Member of Village Defense Party, Village Headman, Chairman and members of Union Parishad, Gram Sarker, Kanungo and Union Land Assistant shall be bound, in the absence of a reasonable excuse, to give to an officer information in respect of any snaring, trapping, netting un-authorized killing, uprooting, destroying or any other offence against this Act committed within the limits of his jurisdiction, as soon as the commission of such offence comes to his knowledge.</p> <p><b>50. Disposal of seized property subject to speedy and natural decay.</b>— Notwithstanding anything contained in this Act any property seized under <b>Section 46</b> which is subject to speedy and natural decay, the officer seizing such property may arrange for the disposal of the same by selling it and dealing with the proceeds thereof in the same manner as he would have dealt with such property if it would not have been sold.</p>	<p><i>(Changed &amp; similarity with Sec. 18 of the existing law)</i> Sec 18</p> <p><i>(Changed &amp; similarity with Sec. 19 of the existing law)</i> Sec 19</p> <p><i>(Changed &amp; similarity with Sec. 20 of the existing law)</i> Sec 20</p>
	<p style="text-align: center;"><b>CHAPTER X</b> <b>PENALTIES AND PROCEDURE</b></p>	

<p>26. (1) If a person--</p> <p>(a) contravenes or attempts to contravene the provisions of Articles 5, 7,9, 10, 11, 12, 13, 14, 15 and 23, he shall be punished with imprisonment which may, subject to the minimum of six months, extend to one Year and also with a fine which may, subject to the minimum of Taka five hundred, extend to Taka one thousand, and the hunting licence, gun licence under Arms Act, 1873, shooting permit or special permit issued to such person shall be cancelled and the firearms, vehicles, vessels, watercraft, appliances or anything used in the commission of the offence including the wild animals meat or trophy found in his possession shall be confiscated.</p> <p>(b) contravenes or attempts to contravene the provisions of Articles 6 and 25, he shall be punished With Imprisonment which may, subject to the minimum of one year, extend to two years and also with a fine which may, subject to the minimum of Taka one thousand, extend to Taka two thousand and the hunting licence, gun licence under Arms Act, 1878, shing permit or special permit issued to of such person shall be canceled and the . firearms, vehicles, vessels, watercrafts appliances or anything used in the commission of the offence including the wild animal, meat or trophy found in his possession shall be confiscated.</p> <p>(c) contravenes or attempts to contravene the provisions of Articles 18 and 21, he shall be punished with a fine which may subject to the minimum of Taka two hundred and fifty, extend to Taka five hundred.</p> <p>(2) Any person who contravenes any provision of this Act or any rule made thereunder</p>	<p><b>51. Penalties.</b></p> <p>(1) Any person who contravenes any provisions of this Act (except Section 30 of Chapter VI, Chapters III, VII and VIII) or any rule or order made thereunder, shall be guilty of an offence against this Act, and shall, on conviction, be punishable with the imprisonment for a term which may extend to three years but not less than one year or with fine which may extend to Taka twenty five thousand but not less than Taka ten thousand or with both:</p> <p>Provided that where the offence committed is in relation to any animal specified in Schedule I and II or meat of any such animal or animal article, trophy or uncured trophy derived from such animal, or any specified plant or part or derivative thereof specified in Schedule IV, or where the offence relates to any prohibited activities in relation to any protected area declared in Chapter IV, such offences is punishable with imprisonment for a term which shall not be less than three years and may extend to seven years and also with fine which shall not be less than Taka fifty thousand and may extend to Taka one lakh, or with both, in addition to the compensation to be given for damage done to wildlife and its habitat:</p> <p>Provided further that in case of a second or subsequent offence of the nature mentioned in this sub-section, the term of the imprisonment may extend for life but shall not be less than seven years and also with fine which shall not be less than Taka one lac and may extend to Taka two lacs or with both.</p> <p>(2) Any person who contravenes any provisions of Chapters III, VII and VIII, shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and also with fine which shall not be less than Taka fifty thousand and may extend to Taka one lac or with both.</p> <p>(3) Any person who contravenes the provisions of Section 30 shall be punishable with imprisonment for a term, which may extend to six months or with fine which may extend to Taka five thousand, or with both:</p> <p>Provided that in case of second or subsequent offence the term of imprisonment may extend to one year or with the fine may extend to Taka ten thousand or with both.</p>	<p><i>(Changed &amp; similarity with Sec. 26 of the existing law)</i></p> <p>Sec 26</p>
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<p>(a) to accept from any person against whom a reasonable suspicion exists that he has committed any offence under this Order a sum of more. Y by way of compensation for the Offence which such person is suspected to have committed; and</p> <p>(b) to release any property which has been seized as liable to confiscation, on payment of such value thereof as may be estimated by such officer;</p> <p>(c) to discharge in such cases as m: 'y prescribed the suspected person if he is in custody or to real as the seize d property on payment of such sum of money, or such value as compensation to such officer as may be determined and to withdraw the proceedings against such person or property.</p> <p>(2) The sum of money accepted as <b>compensation</b> under sub-clause (a) of clause (1) shall not be less than Taka one thousand and shall not exceed Taka two thousand.</p> <p>(3) No officer shall have power to compound a' second and subsequent offence committed by the same person or persons under this Order.</p> <p>27. No court shall take cognizance of any offence under this ACI. except on the complaint of an officer.</p>	<p>Wildlife Warden</p> <p>(a) may accept from any person, payment of a sum of money by way of compensation, against whom reasonable suspicion exists that he has committed any offence under this Act, other than an offence for which a minimum period of imprisonment has been prescribed in <b>Section 51</b>;</p> <p>(b) may release any property, when such property has been seized and liable for confiscation, on payment of the value thereof as estimated by such officer.</p> <p>(2) Upon receipt of payment of money, the suspected person, if in custody, shall be discharged and no further proceedings in respect of the offence shall be taken against such person.</p> <p>(3) The officer compounding any offence may order the cancellation of any licence or permit granted under this Act to the offender, or if not empowered to do so, may approach an authority so empowered, for the cancellation of such licence or permit.</p> <p>(4) The sum of money accepted or agreed to be accepted as compensation under sub-section (1) shall, in no case, exceed the sum of Taka fifty thousand except as under the provision of sub-section (5).</p> <p>(5) A second offence committed by the same person or persons under this Act may be compounded by accepting the sum of compensation, which is not less than double of the compensation realized in compounding the first offence.</p> <p><i>Explanation.</i> — If the amount of compensation realized in a first offence is <b>Taka fifty thousand</b>, the amount of compensation to be realized shall not be less than <b>Taka one lac</b> in case of compounding a second offence. Similarly, in case of a third offence, the amount shall not be less than Taka one lac and twenty five thousand and the amount of such compensation shall <b>not exceed Taka one lac and fifty thousand</b>.</p> <p>(5) No offence, for which a minimum period of imprisonment has been prescribed in Section 68, shall be compounded.</p> <p><b>56. Cognizance of offences.</b> – No Court shall take cognizance of any offence</p>	<p><i>existing law</i>) Sec 36</p>
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<p>37. Any person in possession of arms under a license issued. Under the Arms Act, 1876 and residing within 5 miles from the boundary of a wild life sanctuary, national park or game reserve shall, within <b>such</b> dates as the Government may by notification in the official Gazette direct, apply to the nearest office in the prescribed form for the registration of his name.</p> <p>38. The Government may vest in any officer all or any of the following powers, namely:--  <i>(a)</i> the power of a civil court to compel the attendance of witnesses and the production of documents and material objects;  <i>(b)</i> the power to issue a search-warrant under the Code of Criminal Procedure, 1898; ...-  <i>(c)</i> the power to hold an inquiry into an offence under this Act and in the courts of such inquiry to receive and record evidence; and  <i>(d)</i> the power .to prosecute a case before a Magistrate.</p>	<p>against this Act on the complaint of any person other than –</p> <ul style="list-style-type: none"> <li>(a) a forest officer not below the rank of Forester ; or any police not below the rank of Sub-inspector ;</li> <li>(b) the Officer-in-Charge of the zoo in respect of violation of provisions of <b>Section 30</b>; or</li> <li>(c) any person who has given notice not less than sixty days, in the manner prescribed, of the offence and of his intention to make a complaint, to the Chief Wildlife Warden or any officer authorized by him; or</li> <li>(d) any person aggrieved by any act or omission of any person or any statutory body.</li> </ul> <p><b>57. Presumption to be made in certain cases.</b> — Where in any prosecution for one offence against this Act, it is established that a person is in possession, custody or control of any captive animal, animal article, meat, trophy, uncured trophy, specified plant or part or derivative thereof, it shall be presumed until the contrary is proved, the burden of proving which shall lie on the accused, that such person is in unlawful possession, custody or control of such captive animal, animal article, meat, trophy, uncured trophy, specified plant, or part of derivative thereof.</p> <p><b>58. Offences committed by companies.</b> — <i>(1)</i> Where an offence against this Act has been committed by a company, every person who, at the time the offence</p>	<p><i>(Changed &amp; no similarity with Sec. 27 of the existing law)</i> Sec 27</p> <p><i>(New)</i></p> <p><i>(New)</i></p>
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<p>22. When in any proceedings taken under this Act or in consequence of anything done under this Act a question arises as to whether any wild animal, trophy or meat is the property of the Government, such wild animal, trophy or meat shall be presumed to be the property of the Government fulfill the contrary is proved provided that the burden of proving that the accused is in lawful possession, Custody or control of such wild animal, meat or trophy shall lie on such person.</p>	<p>was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be prosecuted against and punished accordingly:</p> <p>Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.</p> <p>(2) Notwithstanding anything contained in sub-section (1), where an offence against this Act has been committed by a company and it is proved that the offence has been committed with the consent or the connivance of, or is attributable to any neglect on the part of any director, manager, secretary, or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.</p> <p><i>Explanation</i> – For the purpose of this section, -</p> <p>(a) “company” means any body corporate or includes a firm or other association of individuals; and</p> <p>(b) “director”, in relation to a firm means partner in the firm.</p> <p><b>59. Fine in lieu of confiscation.</b></p> <p>(1) Where the competent authority makes a declaration that any property stands confiscated to the Government under Section 55 and 57, and it is a case where the source of only a part of the illegally acquired property has not been proved to the satisfaction of the competent authority, it shall make an order giving option to the person affected to pay, in lieu of confiscation, a fine equal to the market value of such part.</p> <p>(2) Before making an order imposing a fine under sub-section (1), the person affected shall be given a reasonable opportunity of being heard.</p> <p>(3) Where the person affected pays the fine due under sub-section (1), within such time as may be allowed in that behalf, the competent authority may, by order revoke the declaration of confiscation under Section 55 and 57, and thereupon such property shall stand released.</p> <p><b>60. Animals, trophies, meat, plants, etc. to be the Government property. —</b> When in any proceedings taken under this Act or in consequence of anything done under this Act a question arises as to whether any wild animal, other than vermin, animal article, trophy, meat mentioned in Schedule I and II and/or any</p>	<p>(New)</p> <p>(Changed &amp; similarity with Sec. 22 of the</p>
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<p>25 Interference by anyone in the discharge of the duties of an officer shall be an offence.</p> <p>28. Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act of commission or omission which constitutes an offence under this Act, or from being liable under any other law to any higher punishment or penalty than that provided by this Act.</p> <p>29. When an offender is not known or cannot be found any officer may, if he finds that an offence has been committed, confiscate the property used in the commission of the offence.</p> <p>30. The Government may, as and when considers it necessary, set up a Mobile Court for trying offences under this Act;</p> <p>32. Any officer not below the rank of Forest Ranger or Wild Life Supervisor who or whose subordinate has arrested any person under Article 31 may release such person on his executing a bond to appear if and when so required, before the Magistrate having jurisdiction in the Case or before the officer-in-charge of the nearest police-station.</p>	<p>specified plant or part or derivative thereof mentioned in Schedule IV, is the property of Government, such wild animal, animal article, trophy, meat and/or specified plant or part or derivatives thereof shall be presumed to be the property of the Government until the contrary is proved:</p> <p>Provided that the burden of proving that the accused is in lawful possession, custody or control of such wild animal, animal article, trophy, meat and/or specified plant or part or derivatives thereof, shall lie on such person.</p> <p><b>61. Interference in discharging duties under this Act is an offence. —</b> Interference by any one in the discharge of the duties of an officer under this Act shall be an offence.</p> <p><b>62. Application of other Acts. —</b> Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other law in force for the time being for any act of commission or omission which constitutes an offence under this Act, or from being liable under any other law to any higher punishment or penalty than that provided by this Act:</p> <p>Provided that no person shall be punished twice for the same offence.</p> <p><b>63. Confiscation of property when the offender is unknown or not found. —</b> When an offender is not known or cannot be found, any officer may, if he finds that an offence has been committed, confiscate the property used in the commission of the offence.</p> <p><b>64. Set up of mobile court and spot trial by forest officers.-</b></p> <p>(1) The District Magistrate may, as and when considers it necessary, or as desired by the officer not below the rank of Assistant Conservator of Forest, set up a mobile court for trial offences under this Act.</p> <p>(2) The Divisional Forest Officers not below the rank of Assistant Conservator of Forest shall have the magisterial powers for the purpose of spot trial of offences for which punishment will be not more than two years.</p>	<p><i>existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 25 of the existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 28 of the existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 29 of the existing law)</i></p> <p><i>(Changed &amp; no similarity with Sec. 30 of the existing law)</i></p>
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<p>33. Every officer shall be competent to Like all law full means to prevent the commission of any offence under this Act.</p> <p>34. The offences under this Act shall be tried by a Magistrate of the First Class,</p> <p>35. The District Magistrate or any Magistrate of the First Class specially empowered by the Government in. this behalf may try an offence punishable under this Act summarily, under the Code of Criminal Procedure, 181}8, subject to the provision of Chapter XXII of that Code.</p> <p>44. The Government may, by notification in the official Gazette, delegate all or any of the powers conferred upon it under the provisions of this Act, to any officer subordinate to it.</p>	<p><b>65. Lawful means to prevent commission of offences.</b> — Every officer shall be competent to take all lawful means to prevent the commission of any offence under this Act. Any negligence or willful omission to prevent the commission of any offence shall be an offence under this Act.</p> <p><b>66. Offences under this Act to be tried by Magistrate of the first class.-</b></p> <p>(1) The offences under this Act shall be tried by a Magistrate of the First Class appointed by the District Magistrate.</p> <p>(2) Notwithstanding anything contained in any other law in force, such appointed Magistrates under sub-section (1) shall have authority to impose any penalty specified under this Act.</p> <p><b>67. Summary trial.</b> — The District Magistrate or any Magistrate of the First Class specially empowered by the Government in this behalf or any forest officer empowered for spot trail may try an offence punishable under this Act summarily, under the Code of Criminal Procedure, 1898, subject to the provision of Chapter XXII of that Code.</p> <p><b>68. Registration of firearms.</b> — Any person in possession of arms under a license issued under the Arms Act, 1878 (Act XI of 1878), and residing within ten kilometers from the boundary of any sanctuary, national park, landscape zone, community conservation area, safari park, eco-park or botanical garden, private recreational park, zoo, wildlife breeding centre, private wildlife culture farm, or any deemed protected area shall, within such date as the Government may, by notification, direct, apply to the nearest office in the prescribed form the registration of his name and fire arms.</p> <p><b>69. Power of Government to vest authority in any officer.</b>— The Government may vest in any officer all or any of the following powers, namely:—</p> <p>(a) the power of a Civil Court to compel the attendance of witnesses and</p>	<p><i>(Changed &amp; similarity with Sec. 33 of the existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 34 of the existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 35 of the existing law)</i></p> <p><i>(New)</i></p> <p><i>(Changed &amp; similarity with Sec. 44 of the existing law)</i></p>
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<p>39. All officers under this Act shall be deemed to be' public servants within the meaning of the section 21 of the Penal Code.</p> <p>41. No suit, prosecution or 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, or the rules made thereunder.</p> <p>40. Under this Act, carrying of firearms up to the rank of Junior Wild Life Scout shall be treated as part of the uniform.</p> <p>42. All police officers shall, upon request made by any person employed under this Act, assist him in the due discharge of his duties under this Act.</p> <p>43. An officer may, in the course of his official duties, resort to the use of firearms in exercise of his right of private defence of person and properties when the situation and circumstances are beyond the physical control of such officer.</p>	<p>the production of documents and material objects ;</p> <p>(b) the power to issue a search-warrant under the Code of Criminal Procedure, 1898 (Act V of 1898) ;</p> <p>(c) the power to hold an inquiry into an offence under this Act and in the Courts of such inquiry to receive and record evidence ;</p> <p>(d) the power to prosecute a case before a Magistrate; and</p> <p>(e) the power of any other functions under this Act.</p> <p style="text-align: center;"><b>CHAPTER XI</b> <b>MISCELLANEOUS</b></p> <p><b>70. Officers to be public servants.</b> – Every officer referred to in <b>Chapter II</b> and the officers and other employees referred to in <b>Chapter VI</b> and every other officer exercising any of the power conferred by this Act shall be deemed to be a public servant within the meaning of Section 12 of the Penal Code (XLV of 1860).</p> <p><b>71. Protection of action taken in good faith.</b> — (1) No suit, prosecution, or other legal proceeding shall lie against any officer or other employee of the Government or the Government for anything which is done in good faith or intended to be done under this Act.</p> <p>(2) No suit or other legal proceeding shall lie against the authority referred to in <b>Chapter VI</b> and its all officers and employees for anything which is done in good faith or intended to be done under this Act.</p> <p><b>72. Firearms to be treated as part of the uniforms.</b> — Under this Act, carrying of firearms up to the rank of Forest Guard or Junior Wild Life Scout shall be treated as part of the uniform.</p> <p><b>73. Duties of police officer.</b> — All Police and BDR officers shall, upon request made by any person employed under this Act, assist him in the due discharge of his duties under this Act.</p> <p><b>74. Use of firearms for private defence.</b> — An officer may, in the course of his official duties, resort to the use of firearms in exercise of his right of private</p>	<p><i>(Changed &amp; similarity with Sec. 39 of the existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 41 of the existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 40 of the existing law)</i></p> <p><i>(Changed &amp; similarity with Sec. 42 of the existing law)</i></p> <p><i>(Changed &amp;</i></p>
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	<p>defence of person and properties when the situation and circumstances are beyond the physical control of such officer.</p> <p><b>75. Bar on leasing out protected areas.</b> — No part of any declared or deemed to be declared protected areas shall be leased out for any commercial or any other purposes contravening any of the provisions of this Act.</p> <p><b>76. Exemption from paying land development taxes, etc.</b> — Notwithstanding anything contained in any other law for the time being in force, land development taxes or any other taxes to be imposed by the Government, from time to time, shall not be payable for any declared or deemed to be declared protected area under this Act or forest land under the Forest Act, 1927 (Act XVI of 1927) and land handed over to Forest Department by any agency for afforestation or any private land declared as community conservation area.</p> <p><b>77. Proposed protected areas deemed to be protected areas.</b> — The proposed and established protected areas, which are not yet declared as such under the provision of this Act, shall be deemed to be protected areas under the provisions of <b>Chapter IV</b> of this Act.</p>	<p><i>similarity with Sec. 43 of the existing law)</i></p> <p>(New)</p> <p>(New)</p> <p>(New)</p>
<p>45. Notwithstanding anything contained in this Act, the Government may, in the interest of scientific or any public purpose, allow, by notifications in the official Gazette, killing or capturing of any wild animal in such place and by such means as may be specified in the notification.</p>		
<p>46. The Government, by notification in the official Gazette, in respect specified area-</p> <p>i) add to or exclude from a Schedule any wild bird or animal subject to such conditions as may be prescribed;</p> <p>ii) alter the period during which any wild bird or animal specified in the First Schedule may be killed.</p>	<p><b>78. Authority vested to Government for exclusion and inclusion of animals in the Schedules.</b> —The Government may by notification, in respect of any specified area, add to or exclude from a Schedule any wild animal or vermin subject to such conditions as may be prescribed and for such period as may be specified therein and so long as such notification is in force.</p> <p><b>79. Responsibility of Government to maintain dialogue with other countries.-</b> It shall be the responsibility of the Government to maintain dialogue and</p>	<p>(Changed &amp; similarity with Sec. 46 of the existing law)</p> <p>(New)</p>

<p>47. (1) The Government may by notification in the official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.</p> <p>(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe---</p> <p>(a) the powers and duties of the officers and other person authorized in this behalf;</p> <p>(b) the form in which, and the terms and conditions on which, a licence - or a permit or a special licence or a special permit 'may be grant. d."</p> <p>(c) the fees to be charged for any licen:e or permit or a special licence or special permit;</p> <p>(d) in the case of any species of wild animals, the number and the sex that may be killed under a licence;</p> <p>(e) rewards to be given of the persons who render help in the detection of offences under this Act;</p> <p>(f) 'the authorities by whom licenses may be issued; and</p> <p>(g) the management of wild life sanctuaries, national parks and game reserves.</p> <p>48. The enactment's mentioned in the table below are hereby repealed to the extent specified in the third column thereof.</p>	<p>cooperation with other concerned countries along international boundaries on collaborative conservation, especially relating to transboundary issues of protected area management and also to take appropriate initiatives for reaching any agreement regarding tensions and disputes regarding wildlife resources.</p> <p><b>80. Power of Government to make rules.-</b> (1) The Government may by notification make necessary rules for the purpose of carrying into effect of the provisions of this Act.</p> <p>(2) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe:-</p> <p>(a) the powers and duties of the officers and other persons authorized in this behalf ;</p> <p>(b) the form in which, and the terms and conditions on which, a license or a permit or a special license or a special permit may be granted ;</p> <p>(c) the fees to be charged for any license or permit or for a special license or special permit ;</p> <p>(d) in the case of any species of wild animals, the number and the sex that may be killed under a license;</p> <p>(e) rewards to be given of the persons who render help in the detection of offences under this Act ;</p> <p>(f) the authorities by whom licences may be issued;</p> <p>(g) the management of private wildlife culture farm;</p> <p>(h) the management of different sanctuaries, national parks, landscape zone, community conservation areas, eco-park, safari park, botanical garden, private recreational park and zoos declared or established or recognized under this Act; and</p> <p>(i) Powers, functions, tenure of the collaborative management committee/council.</p>	<p><i>(Changed &amp; similarity with Sec. 47 of the existing law)</i></p>
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**TABLE**  
**ENACTMENTS REPEALED**

Year No. Bengal Act.	Short Title	Extent of repeal
1932 VIII	The Bengal Rhinoceros Preservation Act, 1932	The whole
1912 VIII	The Wild Birds and Animals Protection Act, 1912	Do
1879 VI	The Elephant Preservation Act, 1879 ...	Do