

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 02ND SEPTEMBER, 2020**

NO.PAS/LEGIS-B-04/2020-The Sindh Wildlife Protection, Preservation, Conservation and Management Bill, 2020 having been passed by the Provincial Assembly of Sindh on 23rd July, 2020 and assented to by the Governor of Sindh on 05th August, 2020 is hereby published as an Act of the Legislature of Sindh.

**THE SINDH WILDLIFE PROTECTION, PRESERVATION,
CONSERVATION AND MANAGEMENT ACT, 2020**

SINDH ACT NO. XXIII OF 2020

**AN
ACT**

to make provision for protection, conservation, preservation, sustainable use of wildlife for establishment, management and maintenance of protected areas in the Province of Sindh.

WHEREAS to make provision for protection, conservation, preservation, sustainable use of wildlife for establishment, management and maintenance of protected areas in the Province of Sindh and to provide for matters connected therewith or ancillary thereto; **Preamble.**

It is hereby enacted as follows:-

**CHAPTER-I
PRELIMINARY**

1. (1) This Act may be called the Sindh Wildlife Protection, Preservation, Conservation and Management Act, 2020.

(2) It shall extend to the whole of the Province of Sindh.

(3) It shall come into force at once.

**Short title,
extent and
commencement.**

2. In this Act, unless there is anything repugnant in the subject or context-

Definitions.

(i) “animal” means animals of wild origin, terrestrial and or aquatic, that includes fish, birds, reptiles, mammals, amphibians, and their eggs excluding livestock;

(ii) “Animal of Sindh” means the Sindh Ibex declared and notified as Animal of Sindh;

(iii) “Appendix” means a document of Convention on International Trade on Endangered Species (CITES) of Wild Fauna and Flora and Convention on Migratory Species (CMS);

- (iv) “article” means anything made from whole or part of any wild, captive bred or pet animal of wild origin;
- (v) “animal display” means exhibiting any wild animal **and captive breed**, dead or alive;
- (vi) "biological diversity” or “biodiversity" means the variety of plant and animal life in a particular habitat or ecosystem;
- (vii) “biosphere reserve” means an area of terrestrial and coastal or marine ecosystems or a combination thereof;
- (viii) “buffer-zone” means a zonal area that lies between two or more areas;
- (ix) “certificate” means a certificate for lawful possession of wild animal or captive breed, issued under this Act;
- (x) “Code” means the Code of Criminal Procedure, 1989 (Act V of 1989);
- (xi) “competent authority” means the Chief Minister of Sindh;
- (xii) “core zone” means the designated protected areas where all kinds of biotic and abiotic interferences are prohibited, unless specifically required and allowed;
- (xiii) “Convention” means the Convention on Biological Diversity as ratified by the Government of Pakistan, inclusive of its Articles as are amended by the Conference of Parties to the Convention in their meetings from time to time;
- (xiv) “community” means a community that is managing or is involved in management of any other type of Conservation Area;
- (xv) “Council” means the Sindh Council for Conservation of Wildlife established under section 3;
- (xvi) “cruelty to animal” means an act directed towards a wild animal, which is against the natural instinct and behavior of the wild animal;
- (xvii) “circus” means a collection of wild or captive animal bred;
- (xviii) “Convention on Migratory Species” means the convention on migratory species ratified by the Government of Pakistan;
- (xix) “captive breeding” means the process of keeping and breeding of animals in controlled environment such as breeding farm, wildlife farm and zoo;
- (xx) “dealer” a person authorized to sell, purchase, barter any wild animal, its parts, products and derivatives thereof or process or manufacture any article therefrom;

(xxi) “Department” means the Wildlife Department, Government of Sindh;

(xxii) “dignitary” means any foreign person applying for a hunting permit;

(xxiii) “derivative” means an extract from a wild animal or part thereof and includes an oil extracted from the fat of mammals, birds and reptiles;

(xxiv) **“eco-tourism” means responsible travel to natural areas that conserve the environment, sustain the wellbeing of local people, and involve interpretation and environmental education;**

(xxv) "endangered" means the species which is in danger of extinction;

(xxvi) “exotic” means the species, both floral and faunal, which are not native;

(xxvii) "ex-situ conservation" means the conservation of components of biological diversity outside their natural habitats;

(xxviii) “First Offence Report or FOR” means **the FIR as defined in the Code and for the purpose of this Act issued immediately after detection of an offence related to wildlife and forest;**

(xxix) “Fund” means the Wildlife and Conservation Fund Development constituted under this Act;

(xxx) “Government” means the Government of Sindh;

(xxxi) “game animal” means a wild animal specified in Second Schedule;

(xxxii) “game reserve” means an area managed by Government for hunting and shooting during hunting season;

(xxxiii) “guidelines” means the guidelines issued or notified under this Act unless specified otherwise;

(xxxiv) “habitat" means any area, which contains suitable living conditions for a species;

(xxxv) “hunting” means killing, shooting, trapping or capturing of a wild animal and includes taking the nest or egg of a wild animal;

(xxxvi) “hunting season” means notified period of the year when game is allowed as may be prescribed by rules;

(xxxvii) “indigenous” refers to a species of wild animal which is native;

(xxxviii) “investigation” includes all the proceedings under the Code for the collection of evidence conducted by authorized wildlife **officer** or by any person who is authorized.

(xxxix) "Investigation Officer" means an officer not below the rank of Wildlife Sub-Inspector or any Wildlife **officer** who is authorized to conduct any investigation under this Act;

(xl) "licence" means a licence issued under this Act;

(xli) "Management Authority" means a National Management Authority designated in accordance with Article IX of Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), authorized to regulate the import and export of CITES specimen to and from Pakistan respectively;

(xlii) "Multi-lateral Environmental Agreements" means the Agreements referred to in this Act and to which Pakistan is a Party;

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

(xliv) "migratory species" means the wild animal population which has natural instinct of migration during a particular season;

(xlv) "Officer" means the Conservator Wildlife, Deputy Conservator Wildlife, Divisional Wildlife Officer, District Wildlife Officer, Assistant Conservator Wildlife, Game Officer Wildlife, Wildlife Ranger, Deputy Director Wildlife, Assistant Director Wildlife, Field Officer, Sanctuary Warden, Project Officer, Deputy Sanctuary Warden Hatchery Attendant, Wildlife Inspector, Wildlife Sub-Inspector, Game Watcher and Wildlife Guard or any other officer authorized in this behalf to carry out all or any of the purposes of this Act or to do anything required to be done by or under this Act or rules made thereunder;

(xlvi) "permit" means a special or ordinary permit issued under this Act;

(xlvii) "prescribed" means prescribed by rules;

(xlviii) "private game reserve" means an area of land held in private ownership permissible and declared under section 15;

(xlix) "product" means an article made from a wild animal and/or a plant or a part thereof;

(l) "**property**" means any wildlife, dead or alive, which has been hunted, killed, captured or acquired in accordance with the provisions of the Act; (fire-arm, net, trap, snare, bow, arrow or any vehicle or vessel or anything whatsoever used or suspected to have been used in the commission of an offence under this Act.

(li) "protected animal" means a wild animal specified in the First Schedule;

(lii) "protected area" means the area declared as protected area under section 8 **that includes National Park Wildlife Sanctuary, Game Reserve, or any notified under this Act;**

(liii) "Ramsar Convention" means the Convention on Wetlands of International Importance, Especially as Habitats of

Migratory Waterfowl;

(liv) “rules” means rules made under this Act;

(lv) “Schedule” means a Schedule to this Act;

(lvi) "specimen" means any alive or dead wild animal or plant or readily recognizable part thereof or product or derivative therefrom;

(lvii)“trophy” means and *inter alia*, includes, any dead wild animal or its horn, antler, tooth, tusk, bone, hoof, claw, skin, hair, wool, plumage, feather, egg, shell or other durable part, whether in a raw form or a manufactured or processed article through taxidermy and includes skin and specimen of such wild animal mounted in whole or in part;

(lviii) **“Trial court” means the district and session court as defined in Code;**

(lix) “value” means value of the specimen as determined by officer;

(lx) “wetlands” means the areas of marsh, fen, peat land or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish, including areas of marine water the depth of which at low tide does not exceed six meters;

(lxi) “wildlife” includes organic resources, animals, birds, fish, reptiles, vegetation, soil and water;

(lxii) **“wildlife offence” means any violation with respect to wildlife as defined under this Act;**

(lxiii) **“wildlife police station” means as defined under Police Order, 2002**

(lxiv) “wildlife sanctuary” means an area of land or coast owned or managed by Government for protection of wildlife, especially for their undisturbed breeding or staging and wintering of migratory waterfowl;

(lxv) “zoo” or “zoological garden” means a place where wild animals of indigenous and exotic species are kept or housed for conservation, education, research, breeding and re-introduction of native species.

CHAPTER-II ESTABLISHMENT OF COUNCIL

3. (1) Government shall, by notification, in the official Gazette, establish a Council to be called the Sindh Council for Conservation of Wildlife consisting of the following:- **Establishment of Council.**

(i) Minister or Advisor or Special Assistant for Wildlife Department, as the case may be. **Chairman**

(ii) Secretary Forest and Wildlife Department **Member**

(iii) Secretary, Planning and Development **Member**

- Department Government of Sindh
- (iv) One Representative from corporate sector **to be nominated by Chief Minister.** **Member**
 - (v) One representative from reputed NGO having wildlife experience **to be nominated by Chief Minister.** **Member**
 - (vi) One eminent member of Academia having contribution to the field of zoology **to be nominated by Chief Minister.** **Member**
 - (vii) One Representative from Hunters **to be nominated by Chief Minister.** **Member**
 - (viii) One Progressive captive breeder **to be nominated by Chief Minister.** **Member**
 - (ix) Conservator Wildlife, Sindh **Member/Secretary**

(2) An official member appointed by virtue of his office shall cease to be the member on vacating such office.

(3) A non-official member shall hold office for a period of four years from the date of his appointment, and shall be eligible for re-appointment as **Chief Minister** may determine.

(4) A non-official member may at any time, before the expiry of his term, resign from his office, or be removed from office by Government without assigning any reason.

(5) Any person appointed on a casual vacancy in the office of non-official member shall hold office for the unexpired portion of the term of such vacancy.

(6) The non-official members shall be on honorary basis and shall not claim any salary or allowances for their representation on Council.

4. The Council shall perform the following functions:-

- (a) to give vision and guidance for sustainability of wildlife without intervening in routine official business of the department;
- (b) to promote cooperation, coordination and collaboration amongst stakeholders of wildlife;
- (c) to organize awareness campaigns, seminars, walks, and publish material including brochures, pamphlets for awareness.
- (d) fund raising for wildlife improvement.**

Functions of the Council.

5. (1) The Council shall meet as often as necessary but not less than twice in a calendar year **on the date and time fixed by the Chairman.**

Meetings of the Council.

(2) Five members shall form a quorum of the Council.

(3) The Chairman shall ordinarily preside over all meetings of the Council and in his absence the members present shall elect from amongst themselves to be Presiding Member who shall act as Chairperson.

(4) The members shall have reasonable notice of the time and place of the meeting and the agenda for such meeting.

(5) The decision of the Council shall be taken by majority vote and in case of a tie, the Chairman shall have a casting vote.

(6) The decisions taken by the Council shall be in writing and signed by the Secretary of the Council.

6. (1) The competent authority may establish the Sindh Wildlife Conservation and Development Fund.

Fund.

(2) The Council shall take steps for raising of funds, the sources of the Fund, *inter alia*, shall include subject to justification, the following:-

- (a) the grants in-aid from the multilateral and bilateral donors;
- (b) international organizations;
- (c) civil society organizations;
- (d) the private sector;
- (e) individual philanthropists;

7. (1) The funds so raised by the Council shall be utilized against approved annual plan of action by the Council through Member/Secretary of the Council.

Utilization of Funds.

(2) For the purpose of utilization of funds, the office not below Assistant of Conservator Wildlife or District wildlife, as the case may be, shall be deemed to be field office of Controller General of Pakistan.

(3) The officer in charge of a Wildlife District or a Division shall exercise the financial powers as provided within the meaning of Sindh Financial Rules.

(4) There shall be departmentalized accounting system for operations related to wildlife management, conservation and development in the Province of Sindh.

CHAPTER-III PROTECTED AREAS

8. (1) The Department may, with the previous sanction of **Government**, declare any state land, waste land, reserved or protected forest as a whole or portion thereof, as protected area.

Power to declare protected area.

(2) For the purpose of declaration of any state land as a Protected Area the procedure defined under section 3 to 20 in the Forest Act 1927 shall be adopted.

9.(1) The actions which are prohibited in the protected area **and any wildlife habitat** including -

- (a) hunting, shooting, killing, injuring, trapping, snaring and poisoning of wildlife found therein;
- (b) polluting, poisoning, draining or diverting the water resource for the purpose other than the purpose which is essential for

Prohibition of actions.

health of wildlife;

(c) cutting, girdling, damaging, injuring or destroying floral resources or burning and collecting the plants or part thereof;

(d) damaging the infrastructure and culturally significant natural structures, defacing, counterfeiting the boundary marks, encroachment, cultivation or changing the land use; or

(e) breaking the land for oil and gas exploration, seismic survey or any kind of other survey;

(f) drilling, kindling fire or **abating** in setting fire;

(g) grazing, fishing, trespassing;

(h) blowing pressure horn and playing electronic instruments such as television, radio or tape recorder, loudspeaker causing noise and car racing or other noise related sports;

(i) quarrying, causing or fashioning of natural stones, exploration and exploitation of mines and minerals;

(2) Any person who contravenes or breaches any of the acts under sub-section (1) shall be dealt as mentioned in Third Schedule.

(3)The Department with the previous sanction of competent authority may, for scientific purpose, improvement of aesthetic, scenic beauty, and in the larger public interest, relax to undertake any of the acts prohibited under sub-section (1) particularly in wildlife protected areas, subject to fulfillment of the requirements provided in section-86;

10. For the purpose of removal of encroachment in the protected areas,

(1) the procedure laid down in section 26 (A) of the Forest Act 1927 shall be adopted.

(2) **The provisions of Sindh Public Property Removal Act, 2010 shall apply.**

Removal of encroachment from protected areas.

11. (1) Every person in a village contiguous to protected area, or any person employed by the Department, or a person who receives emoluments from the Department, shall be bound to assist Wildlife Officer –

(a) to extinguish any fire in the protected area; in preventing the commission of any offence; and

(b) when there is reason to believe that any offence has been committed in protected area, in discovering and arresting the offender.

Laxity in providing Assistance.

(2) Any person who, being bound so to do, without lawful excuse (the burden of proving which shall lie upon such person) fails to abide the provisions of sub-section (1), shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to rupees one hundred thousand.

(3) In case of any fire incident, the Officer shall, without any unnecessary delay, issue first offence report and furnish a fire report describing the nature and extent of the incident, and the efforts immediately taken in this behalf.

12. (1) The Department may with the previous approval of the competent authority, by notification in the official Gazette, declare any area to be a national park with a view to protection and preservation of wildlife and outstanding scenery, flora and fauna (habitat) in the natural state in such manner as may be prescribed. **National Park.**

(2) A National Park shall be accessible to public for recreation, education and research.

(3) The provision for access roads to and construction of rest houses, hostels and other buildings in the national park along-with amenities for public may be so made and the forest therein shall be so managed and forest produce obtained as not to impair the object of the establishment of the national park.

13. (1) The Department may with the previous approval of the competent authority may, by notification in the official Gazette, declare any area to be a wildlife sanctuary and may demarcate it in such manner as may be prescribed. **Wildlife Sanctuary.**

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

14. The Department may, on the recommendations of Council declare any area to be a game reserve, where hunting and shooting of wildlife shall not be allowed, except under a special permit issued by Conservator Wildlife, which may specify the maximum number of animals or birds that may be hunted or captured in the area, duration for which such permits shall be valid. **Game Reserve.**

15. Subject to the provisions of this Act and rules, where the Conservator Wildlife is satisfied on the report of Deputy Conservator Wildlife that an area of land in private ownership supports sizable population of game animals or has the potential of increasing the number of game animals to harvestable level, declare it as a Private Game Reserve, on receipt of a formal request from a single owner or jointly owned area, for managing and using it sustainability for hunting of native game animals found or re-introduced therein. **Private Game Reserve.**

(2) The Conservator Wildlife may at any time, by notification in the official Gazette, de-notify a Private Game Reserve, after seeking report in writing from the Deputy Conservator Wildlife if the Private Game Reserve has degraded to a stage that it is not likely to recover for achieving the objectives of its establishment.

16. (1) Subject to provisions of this Act and rules and with prior permission of Competent Authority, where the Conservator Wildlife is satisfied on the report of Deputy Conservator Wildlife that an area of land owned de-jure or de-facto by a local community supports sizable population of game animals or has the potential of increasing the number of game animals with management to harvestable level, may designate it as a Community Game Reserve, on receipt of formal request for managing and using it sustainability for hunting of game animals during hunting season. **Community Game Reserve.**

(2) The Conservator Wildlife may, at any time, by notification in the official Gazette, after seeking report in writing from the Deputy Conservator Wildlife de-notify a Community Game Reserve if -

(a) the Community Game Reserve has degraded to a stage that it is not likely to recover for meeting the objectives of its establishment; and

(b) the community has grossly violated the provisions of this section.

17. The Department may, with the previous sanction of competent authority, establish a zoo, zoological garden.

**Zoological
Garden.**

18. The Department may with the previous sanction of competent authority -

**Joint
Management.**

(i) invite the proposals from private sector, local and foreign dignitaries for wildlife conservation, development and management of protected areas;

(ii) enter into a public-private partnership with private sector, local and foreign dignitaries in wildlife conservation for benefit of wildlife and local community.

(2) Subject to provisions of this Act and Rules, Department may permit any person to use protected area for –

(a) increasing the productivity of the wild flora and fauna; development of the protected area without disturbing the natural features of habitat;

(b) developing wild medicinal plants or non-timber forest produce (NTFP) based cottage industry beyond one kilometer radius from boundary of protected area without compromising the natural features of the protected area.

(3) Department shall not permit the use of protected area or wasteland for –

(a) construction of asphalt roads;

(b) change of land use for the purpose other than development of bio-diversity and captive breeding related activities; or

(c) a housing project.

(4) Subject to any other law, and with the previous sanction of the competent authority, the Department may enter into a detailed contractual arrangement with any person or firm in accordance with the provision of this section.

(5) If in the opinion of Department, the person has violated any provisions of this Act or the contractual agreement, the Department may with the previous sanction of competent authority impose penalty defined under this Act and Rules.

19. The Department shall, with the previous sanction from competent authority, where considers necessary, involve local communities in planning, management, protection, conservation, sustainable use, captive breeding, trophy hunting, falconry of bustards and normal hunting of wildlife in **Game Reserve** under the terms as may be prescribed.

**Community
participation.**

20. For the purpose of tapping into the significant potential of wildlife resources and ecotourism, the national and international investments shall be encouraged and attracted.

Eco-Tourism.

CHAPTER III
PROTECTION & CONSERVATION OF WILDLIFE

21.(1) No person shall hunt, kill, trap and capture, or smuggle, possess and trade in wildlife such as mammals, birds, reptiles or parts thereof unless permitted. **Protection of Wildlife**

(2) All wildlife of Sindh Province shall enjoy the protection under this Act; wildlife of other territory whenever found or brought in the Province of Sindh by trans-boundary migration or by human act shall also enjoy the protection under this Act, as provided under Fourth Schedule.

22. The Wildlife **Officer** or any other law enforcement agency, as the case may be, shall prevent the commission of any offence under this Act and may take cognizance of an offence. **Power to prevent commission of offence.**

23. A Wildlife **Officer** not below the rank of a Wildlife Inspector may search any person, premises, vessel, vehicle, consignment containing wildlife, without obtaining order or warrant from a Magistrate, so as to satisfy himself whether or not an offence under this Act has been committed. **Search against reasonable suspect.**

24. Any Wildlife **Officer** may without orders from a Magistrate and without a warrant, arrest any person as per section 54 of the Code and at the same time may seek assistance from private persons for arrest of an accused. **Power to arrest without warrant.**

25. Subject to provisions of this Act, an officer not below the rank of Wildlife Inspector or an equivalent rank may release the offender on bond who shall appear if and when required **for the purpose of this Act.** **Power to release on bond person arrested.**

26. The officer under this Act not below the rank of Wildlife Inspector may – **Power of compounding of an offence.**

(a) accept from any person who committed an offence under this Act which is compoundable, a sum of money **as defined in section 74;**

(b) release on payment **the compounding amount as defined under section 74.**

27. An offence of which the cognizance has been taken may be compounded by an officer with following intentions:- **Compounding Procedure**

- (a) to provide an opportunity to offender for observance of responsible behavior in future;
- (b) Officer not below the rank of assistant conservator wildlife shall decide the case of hunting, shooting, trapping, poisoning, snaring and or other offence related to damage and harm of wildlife and its habitat;

28. The offences under this Act are compoundable: **No second chance.**

Provided that no second and subsequent offence under this Act shall be compounded including the offence of encroachment, mischief and arsoning in the protected area.

29. (1) The non-compounded offence under section 26 shall be prosecuted in the manner hereinafter mentioned.

Prosecution of non-compounded offence.

(2) An officer not below the rank of Assistant Conservator Wildlife, on receipt of **wildlife** offence papers and being satisfied with the findings of the inquiry officer who is not below the rank of a Wildlife Inspector, shall issue prosecution sanction to concerned Investigation Officer not below the rank of Wildlife Inspector to present the case for trial in the Court.

30. Upon receipt of any such report, the **Trial** Court shall, with all convenient dispatch, take such measures as may be necessary for the arrest and trial of the offender and the disposal of property in accordance with the provisions of this Act and the Code.

Procedure thereupon.

31. The competent court may, for investigation of the offence, allow remand on the request of the officer to keep the offender under custody in a **wildlife** police station for a period of not more than ninety six hours.

Procedure for custody of offender.

32. (1) Any officer not below the rank of Wildlife Inspector shall –

Seizure of property.

(a) seize any wildlife, dead or alive, which has been hunted, killed, captured or acquired otherwise than in accordance with the provisions of the Act;

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

(2) Every Officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized.

(3) Any officer not below the rank of Wildlife Inspector may release the seized property used in the commission of an offence, on bond or surety by *nekmard* of the area concerned, subject to entry in the register to be maintained for such release and for subsequent procedure to be adopted for compounding.

(4) The property so released shall be produced if and when required before the Magistrate having jurisdiction to try the offence on account of which the seizure is made.

33. (1) The property seized under section 32 shall be liable to confiscation by **an order in writing by an officer** not below the rank of **Assistant** Conservator Wildlife or equivalent Grade.

Confiscation of the property.

34. Any person aggrieved with the order passed, under section 33 may, within one month from the date of any order so passed, appeal there from to the **Trial** Court to which orders made by such Court are ordinarily appealable and the order passed on such appeal shall be final.

Right of appeal.

35. When order is passed for confiscation of any property under section 33 and the period of appeal limited by section 34 has elapsed, and no such appeal has been preferred, or when, on such an appeal so preferred, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion thereof, as the case may be, shall vest in Government free from all encumbrances.

Confiscated property vest in Government.

36. The officer not below the rank of Assistant Conservator Wildlife may –

(a) set free the confiscated healthy wildlife in the wild;

(b) **sale** or dispose of any property seized under this Act as soon as possible which is subjected to speedy and natural decay.

Procedure to perishable property or live specimen.

37. Any officer not below the rank of Wildlife Inspector who finds that an offence has been committed but the offender is not known or found, may confiscate the wildlife, live or dead or part, product or derivative thereof and the property used in the commission of the offence.

Procedure when Offender not known or not found.

38. When any offence takes place at a time and a place that nobody could have witnessed, the onus of proof of not committing such an offence shall lie on the accused.

Onus of proof.

39. When, in any proceedings taken under this Act or in consequence of anything done under this Act, a question arises as to whether any specimen of wildlife is the property of Government, such property shall be deemed to be the property of Government, until the contrary is proved.

Presumption that wildlife belongs to Government

40. An Officer under this Act shall have –

Power of Civil Court.

(a) the power of a Civil Court to compel the attendance of a witness and production of documents and material objects;

(b) the power to issue a search warrant under the Code;

(c) the power to hold inquiry in any offence under this Act, and in the course of such inquiry to receive and record evidence.

41. It shall not be an offence if any person has sufficient reason to kill any wildlife (predator or harmful) by any means in the immediate defense of his own life or that of any other person to the extent that –

Killing or capturing in self-defense.

(i) he shall immediately report the nearest office of the Wildlife with brief oral and written description of situation and incidence;

(ii) the killed or injured animal being property of Government shall be handed over to the Wildlife Officer:

Provided that the accused shall submit proof that predator as previously caused any harm or injury to a person, livestock or property and his action falls within the section 99 of Pakistan penal code 1860:

Provided further that burden of proven shall be upon the person claiming the exception, to prove as per Article 121 of Qanoon-e-shahadat order 1984.

42. (1) The Department with the previous sanction of the Council shall, by notification in the official gazette, determine and fix, from time to time, the value of wild animals and trophies possessed, hunted, trapped, captured, or killed in violation of any provision of this Act.

Value of wild animals and trophies.

(2) Where any person fails to pay the value and compensation thereof under sub-section (1), he shall be liable to punishment of imprisonment doubled to that of prescribed, but not exceeding twelve months.

CHAPTER-IV **REGULATION OF HUNTING**

43. (1) The hunting of game animals shall be regulated in the prescribed manner.

**Hunting of
game
animals.**

(2) The Department shall, by notification in the official gazette, declare the season in which the hunting is allowed.

(3) The value of the wildlife allowed for hunting under the authorized permit shall be fixed for each animal and shall be recovered from the hunter at the time of departure from hunting ground.

(4) No hunting shall be allowed during the breeding season.

(5) Whoever contravenes the provisions of sub-section (4), shall be dealt as provided in the Third Schedule.

44. The Department shall encourage the community participation based **eco-tourism and** trophy hunting program and shall implement it according to the quota as fixed by Management Authority, for foreigners and locals on payment of such fees as may be prescribed.

**Trophy
hunting.**

45. Subject to sustainability of Bustard population and conservation of habitat, Government may allot any area except **National Park and Wildlife Sanctuary** on request of dignitary for prescribed period; provided that -

**Allotment of
areas as
falconry
grounds during
Hunting
Season.**

(a) such request is received by Government in writing, from dignitary or his State or forwarded through Ministry of Foreign Affairs, Government of Pakistan;

(b) habitat and area so allotted shall be improved, managed and maintained as required by Government;

(c) the community interest and uplift shall be duly taken care;

(d) other wild flora and fauna shall be permitted to thrive;

46. Government or any officer authorized by it shall have the sole prerogative to grant licenses in fee or gratis.

**Grant of
License.**

47.(1) All acts committed intentionally or un-intentionally that hurt the wildlife amounts to cruelty to the animals and are strictly prohibited, that includes -

**Prevent
Cruelty to Wild
Animals.**

(a) possession and use of wild animals for fighting or baiting;

(b) keeping, handling and transporting of wildlife in undersize cage, enclosures causing un-comfort to the animals;

(2) The provisions of the Prevention of Cruelty to Animals Act, 1890, so far as it relates to wild animals shall also apply.

48. No person shall use hawks for hawking or dogs for coursing the game animals except under a special license issued under this Act.

Prohibition of hawking.

CHAPTER-V
POSSESSION, TRADE & TRAFFICKING OF WILDLIFE

49. No person shall be in possession of any wild animal or captive bred, dead or alive, trophy or meat, blood of wild animals unless he be in possession of a certificate of lawful possession granted in respect thereof by the officer not below the rank of Assistant Conservator Wildlife in this behalf:

Certificate of lawful Possession.

Provided that the certificate of lawful possession is to be obtained for each wild animal or captive bred or part thereof to be kept in possession, on payment of prescribed fee for prescribed period and shall be renewed for further period.

50. (1) The captive bred animals shall be allowed to be kept under a certificate of lawful possession or permit for the purpose of education, awareness, research, subject to the provisions of rules made under this Act.

Lawful Possession.

(2) The animals collected and kept under sub-section (1) shall be properly taken care of and be kept in conducive environment.

51. The import and export of captive breed animals shall be subject to the provisions of this Act and rules made thereunder and as per provisions of Pakistan Trade Control Act of Wild Fauna and Flora Act, 2012 (Act No.XIV of 2012).

Import and export of captive breed animals.

52. Subject to the provisions of this act and rules the re-export shall be encouraged for earning foreign exchange.

Import and re-export.

53. No person shall trade in captive breed animals, wildlife trophies or meat, blood thereof, or process or manufacture goods or articles from trophies or meat, unless he be in possession of a valid license issued under the provisions of this Act.

Restriction on dealing in animals, trophies or meat.

54. No person including those working in educational and research institutions, zoological museums, shall undertake taxidermy of wildlife as a profession without obtaining a taxidermy license.

Taxidermy.

55. An Officer not below the rank of **Deputy** Conservator Wildlife may issue orders for establishment of wildlife check-posts for the purposes of checking the wildlife or parts thereof and controlling the illegal and unlawful trade and trafficking of the wildlife in the Province.

Power to establish check-posts.

56. (1) The Department shall encourage captive breeding of native species for internal trade or export under such restrictions and conditions as may be prescribed.

Captive Breeding.

(2) The Conservator Wildlife on report of Deputy Conservator may register the facility for captive breeding subject to satisfaction and he may refuse registration stating the reasons therefore.

(3) The aggrieved person or organization may file a revision application to the Department, whose decision on such application shall be final.

CHAPTER –VI
DUTIES AND POWERS

57. The Department with the previous sanction of the competent authority may, by notification in the official Gazette, delegate all or any of its powers vested under the Act, to officer of any other department for the purpose of this Act.

Delegation of powers.

58. (1) On detection of **wildlife** offence, a Wildlife **officer** not below the rank of Wildlife Sub-Inspector shall –

Procedure of offences and enquiries.

(a) lodge first offence report (FOR);

(b) submit a copy of FOR or any proceedings under this Act to District Wildlife Officer (or officer of equivalent grade, in his absence);

(2) the authorized **Wildlife officer** shall-

(a) seize any wildlife, dead or alive, which has been hunted, killed, captured or acquired otherwise than in accordance with the provisions of the Act;

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

59. An Officer not below the rank of Wildlife Inspector shall deemed to be a public prosecutor as provided within the meaning of section 492 of the Code.

Public Prosecutors

60. **Upon receipt of prosecution in accordance with the provisions of this Act and the Code the Trial Court specially empowered in this behalf shall try summarily.**

Power to try offence summarily

61. In case of confiscation of a specimen of a wildlife originating from another territory falling under the purview of Convention on International Trade in Endangered Species of wild flora and fauna, the Conservator, Wildlife Sindh or any officer authorized in this behalf may through Ministry of Foreign Affairs return the confiscated specimen to the territory of origin or the country of export or origin or may gift or sell to any registered zoo, aviary, zoo-cum-botanical garden or captive breeding facility in the country or abroad on such conditions as deemed fit.

Power to Dispose CITES and foreign origin case Property.

62. Notwithstanding anything contained in this Act or any other law, for the time being in force, the Conservator Wildlife, Sindh or any other officer authorized in this behalf may –

Power to Dispose off Case Property (other than compounded).

(a) set free the confiscated healthy wildlife in the wild, in a transparent manner, preferably in controlled and well maintained wildlife protected areas;

(b) sell or dispose off any property seized under this Act as soon as possible which is subjected to speedy and natural decay, and may deal with the proceeds as he would have dealt with such property if it had not been confiscated, subject to keeping full record of each such case.

63. The officer not below the rank of Assistant Conservator Wildlife may sanction as reward the 1/4th of the amount realized as compensation, value and fine, to the officials and person who performed extra-ordinary in detection, registration or disposal of an offence. . **Power to Sanction Rewards.**
64. (1) **The Office not below the rank of wildlife inspector shall deemed to be a wildlife police station for the purpose of this Act.** **Wildlife Police.**
- (2) **The field formation of Sindh Wildlife Department from BS-5 to 20 shall deem to be wildlife protection police for the purpose of this Act.**
65. Notwithstanding anything contained in this Act, the Department may, for scientific management, sustainable use, allow **sale** or exchange of wild animals or captive bred from any wildlife breeding farm, wildlife park, safari park, zoology garden or zoo. **Power to sell or exchange.**
66. The Department, with the previous sanction of the competent authority, by notification, in respect of any specified area may – **Power to add to or exclude from Schedule.**
- (a) add to or exclude from the Schedules any wild animal or captive bred, subject to such conditions as it may impose in each case;
- (b) alter the period during which any wild animal or captive bred specified in the Second Schedule may be hunted.

CHAPTER-VII
MISCELLANEOUS PROVISIONS

67. The Department shall, in accordance with its particular conditions and capabilities, adopt such appropriate measures and meet such goals, obligations, targets, conventions, articles, protocols, resolutions, appendices and specimens in pursuing the objectives of Multilateral Environmental Agreements to which Government of Pakistan is signatory or instrument and specifically related to wildlife and biological diversity, in whole or in part. **Multilateral Environmental Agreements.**
68. The protection to the wildlife of other Provinces, territories and countries shall apply mutatis mutandis as to the protection of wildlife to the Province of Sindh. **Trans-boundary protection.**
69. Confiscated CITES species of wild flora and fauna, shall be repatriated and or handed over to country of origin on request via CITES management authority of Pakistan. **CITES species repatriation.**
70. The exotic species of fauna and flora which may threaten the ecosystem and indigenous population shall be prevented. **Prevention of exotic species**
71. Whosoever contravenes or attempts to contravene the provisions of this Act or the rules and regulations made thereunder shall be punishable as provided in Third Schedule. **Punishment.**

72. Nothing contained in this Act shall prevent from prosecuting any wildlife offender under any other law for any of his act or omission which also constitutes as an offence under this Act or under any other law to award any higher punishment or penalty than under this Act. **Prosecution under other Laws.**
73. (1) An abetment of any offence under this Act shall be punishable in accordance with the provisions of this Act and the Code. **Abetment of offence and interference in duty.**
- (2) No person shall interference in government duty for the purpose of this act anyone who contravenes shall be dealt in accordance with the provisions of this Act and Code.
74. The council shall determine the rate of compensation of wildlife and trophies, *inter alia*, possessed, hunted, trapped, captured, or killed in violation of any provision of this Act. **Determination of the Value**
75. (1) The imprisonment for the non-payment of **compounding, amount of the wildlife offence shall run consecutively after the service of term of imprisonment imposed.** **Imprisonment for non-payment of value and compensation.**
- (2) The term of imprisonment in case of sub-section (1) shall be calculated at the rate of one day for **five hundred rupees of the penalty imposed.**
- (3) **Any sum of amount due under the provision of this Act shall be recovered as arrears of land revenue under the Sindh Land Revenue Act, 1967.**
76. A person who commits any of the acts prohibited under the Forest Act, 1927, in a protected area shall be deemed to be an offender under this Act and the penalties provided in the Forest Act, 1927 shall mutatis mutandis apply. **Forest Act, 1927 to apply.**
77. The provisions of the Cattle Trespass Act, 1871 relating to the cattle trespassing and grazing in the protected area(s) or in any portion of a protected area(s) which has been lawfully closed to grazing, shall apply mutatis mutandis to this Act. **Cattle Trespass Act, 1871 to apply.**
78. The Department may, by notification, direct that in lieu of the fines fixed under section 12 of the Cattle Tress Pass Act, 1871, the owner or occupant of the cattle impounded, shall pay the fines as Department deems appropriate but such fines shall not exceed the following amounts:- **Powers to alter fines.**
- | | |
|--------------------------------------------------------|----------------------|
| (i) for each buffalo or camel | One thousand rupees |
| (ii) for each horse, mare, gelding, pony, | Five hundred rupees. |
| (iii) colt, filly, mule, bull, bullock, cow or Heifer. | One thousand rupees |
| (iv) For each calf, ass, ram, ewe, sheep. | Two hundred rupees |
| (v) Lamb or goat. | One thousand rupees |

79. Every Police Officer, Rangers Officer, Coast Guard, Marine Security Agency and Custom Officer, Forest Officer shall, upon request made by any officer or person authorized under this Act, assist him in the due discharge of his duties under this Act. **Duty of Police Officer & Custom Officer**
80. Except with the permission in writing by Government, no Officer shall, as principal or agent, trade in wildlife animal and products, whether in or outside Pakistan. **Officer not to trade.**
81. The officer of the department for the purpose of this Act shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act XLV of 1860). **Public servant.**
82. No suit, prosecution, or other legal proceedings shall lie against the Council, officers, staff and persons authorized to carry out the purposes of this Act, in respect of anything in good faith done or intended to be done under this Act or the rules made thereunder. **Indemnity.**
83. (1) Government may, by notification in the official gazette, make rules for carrying out the purposes of this Act. **Power to make rules.**
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for –
- (a) regulation of hunting;
 - (b) revision of powers and duties of authorized officer(s) and delegation of the powers;
 - (c) fixation of the fees to be charged for any certificate of lawful possession, trading and **translocation** of wild or captive bred animals, licence or permit for import and export of wildlife or captive bred and birds or special licence or special permit;
 - (d) formulation of code of conduct for conservation and sustainable falconry of houbara bastard in Sindh under Houbara Conservation and Community welfare programs;
 - (e) harvesting of non-timber forest produce, timber and the granting of licences to the inhabitants of towns and villages in the vicinity of protected area to take biological or other produce for their own use, on the production and renewal of such licences;
 - (f) fixation of the number of mature and over-mature males of Ibex, Urial or any other animal mentioned in Second Schedule to be hunted under trophy hunting program and allocation of quota and fixing of fees thereof for foreigners and locals;
 - (g) settling the terms and conditions for issuance of certificates, permits, licences and related form and proforma used in dealing the wildlife;
 - (h) preparing the management plans and guidelines for sustainable use of wildlife and other biological resources in designated protected areas, specifically National Park, Strict Nature Reserve and Wildlife Sanctuary;

- (i) registration of Wildlife Conservation NGOs', Community Organizations, Village Conservation Committees, Societies, Associations and Wildlife Clubs;
- (j) preparation of manuals for establishment and management of captive breeding facilities, Wildlife Park and Aviary, Zoo and Private Wildlife Farming and hunting grounds and reserves;
- (k) delegation of the authorities by whom, and prescribing the conditions and the manners in which, licenses may be issued;
- (l) promoting and regulating the Ecotourism as an Industry.
- (m) granting of rewards and awards.
- (n) the examination of biological produce passing out of such areas;
- (o) the protection of all biotic and abiotic assets of area from fire;
- (p) the clearing and breaking up of land for cultivation or other purposes in such area;
- (q) the cutting of grass and pasturing of cattle in such areas;
- (r) killing, hunting, shooting of animals, fishing, poisoning water and setting traps or snares in such areas;
- (s) the exercise of legitimate rights of local inhabitants; and
- (t) any other rules as may be required to be made under the provisions of this Act;

84. Nothing contained in this Act shall prevent from prosecuting any wildlife offender under any other law for the time being in force, any of his act or omission which also constitutes as an offence under this Act or under any other law to award any higher punishment or penalty than under this Act.

Punishment and penalty of the offences provided under any other law

85. (1) The Department with the previous approval of the Council shall, by notification in the official gazette, determine and fix from time to time, the value of wildlife and trophies possessed, hunted, trapped, captured, or killed in violation of any provision of this Act;

Value of wildlife and trophies

(2) In case of any confiscation of the wildlife of native or exotic origin where compounding value is not fixed, the officer not below the rank of Deputy Conservator Wildlife or equivalent shall compound the offence.

86. The Department shall determine through a committee of experts, the value of loss to habitat caused as a result of any development activity of important nature, oil spill in coastal waters, flood disaster, un-authorized land use in a protected area or wildlife habitat owned by Government, to be recovered; and same amount shall be utilized for improvement thereupon.

Value of loss or degradation of habitat

87. (1) No person shall display unlawful possession of protected animals, illegal hunt, and illegal trade advertisements on through the means of social media. **Prevention of Wildlife Cyber Crime**

(2) Any person contravenes the provisions of sub-section (1), shall be punishable with imprisonment upto six (6) months or fine as may be determined by the Court.

88. (1) **The Trial Court shall take cognizance of offence under this Act upon receiving the Challan accompanied by criminal prosecution sanction issued by officer not below the rank of Assistant Conservator Wildlife as the case may be or upon first offence report (FIR).** **Taking Cognizance by Trial Court**

(2) The offence punishable under this Act shall be tried summarily by the **Trial** Court.

89. The following offences shall be deemed to be included in the Schedules:-

(i) series of acts made punishable by special and general law for unlawful hunt shall be deemed to be part of schedule;

(ii) any attempt, abetment, harbour, unlawful assemble, rioting, affray for hunting without lawful permit or hunting in prohibit season or in a prohibited area or hunting prohibited non-human shall be an offence under this Act;

(iii) any assault or criminal force upon wildlife **Officer** on duty under this Act to deter such public servant from discharge or his duty by any person;

(iv) any mischief or Arson to the habitant, any tree, any natural atmosphere/living of and wildlife animal or any public or private property before, during or after any lawful or unlawful hunt;

(v) causing any explosion during any lawful or unlawful hunt;

(vi) using illegal or unlawful arms in a lawful hunt.

offences deemed to be included in the Schedules.

90. (1) The Sindh Wildlife Protection Ordinance, 1972, hereinafter referred to as the repealed Ordinance is hereby repealed. **Repeal and Saving.**

(2) Notwithstanding the repeal under sub-section (1), all actions taken, obligation, liability, penalty or punishment incurred; inquiry or proceedings commenced, officer appointed or person authorized, jurisdiction or power conferred, rules made, and licences, permits or orders issued under the provisions of the repealed Ordinance shall be deemed to have been validly taken, incurred, commenced, appointed or authorized, conferred and rules made shall continue to be in force until altered, amended or repealed.

(3) Notwithstanding anything contained in the previous notifications, official memorandums and West Pakistan forest rules shall be protected under this Act until the same or not specifically debarred.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH

FIRST SCHEDULE
PROTECTED ANIMALS

(see section 2(ii))

The following wildlife are declared as protected until otherwise as per provisions of this Act;

- (i) All game animals when immature.
- (ii) All females of game animals when:
(a) pregnant;
(b) suckling or feeding young ones; and
(c) accompanied with immature offspring.
- (iii). Ungulate mammals;
- | | | | |
|---|------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Sindh Wild Goat | <i>Capra aegagrus</i> | Sindhi Jungli Bakra/ Ter, Pashin, Pachin, Sarah |
| 2 | Urial | <i>Ovis orientalis</i> | Urial / Hurian, Shah Kohi, Koch, Garand, Gad |
| 3 | Chinkara Gazelle | <i>Gazella gazelle</i> | Hiran, Chinkara/ Kal-punchh Gora Hiran, Chitka Hiran, Chiatika, Abdu. Ask, Phaskela, Area Cambat. Gajar, Onsakai Haran, Har Phara, Pharho |
| 4 | Hog Deer | <i>Axis porcinus.</i> | |
- (iv) Carnivore and Omnivore mammals;
- | | | | |
|----|-------------------------------------|------------------------------------------|----------------------------------|
| 1 | Leopard | <i>Panthera pardus.</i> | Tendwa, Cheeta, Bagh, Suh, Chito |
| 2 | Grey Wolf | <i>Canis lupus</i> | Bharria, Baghar |
| 3 | Caracal | <i>Felis caracal syn.Caracal caracal</i> | Siah-gosh, Ech, Harwullo |
| 4 | Desert Cat | <i>Felis silvestris /Fellis libyca</i> | Sahrai billi, Rann billo |
| 5 | Fishing Cat | <i>Prionailurus vaverrinus</i> | Machhli khore billi, Fehai billo |
| 6 | Jungle Cat | <i>Felis chaus</i> | Jungli billi, Jhangrar billo |
| 7 | Small Indian Civet | <i>Viverricula indica</i> | Phawwi Khastoori billo |
| 8 | Beech or Stone Marten | <i>Martes foina</i> | |
| 9 | Striped Hyena | <i>Hyaena hyaena</i> | Lagar Bagar, Charakh |
| 10 | Honey Badger / Ratel | <i>Mellivora capensis</i> | Bijoo, Gorpat |
| 11 | Spiny Ant Eaters including Pangolin | <i>Manis crassicaudata</i> | Choonti khore, Chhalo miro |
| 12 | Long-eared Hedgehog | <i>Hemiechinus auritus</i> | Jaho chuha, Jaho |
| 13 | Red Fox | <i>Vulpes vulpes</i> | Lal Loamri, Lomer, Lokar |
| 14 | Smooth Coated Otter | <i>Lutra perspicillata</i> | Ludher, Ludra Udni, Ludhrhoo |
| 15 | Small Indian Civet | <i>Viverricula indica</i> | |
| 16 | Common Mongoose | <i>Herpestes edwardsi</i> | Neaola, Nore |

(v) The Primate mammals such as Dolphins, Whales, Sharks, Dugong whether found in fresh waters or marine waters.

(vi) Herbivore mammals;

1	Wild Ass	<i>Equus hemionus khur</i>	Gor khar, Jangli gadha
2	Blue Bull	<i>Boselaphus tragocamelus</i>	Nil Gai
3	Eastern Grey Squirrel	<i>Sciurus carolinensis</i>	Surmai Gulahri
4	Black Buck	<i>Antelope cervicapara</i>	Kala hiran, Karo haran

(vii) Ducks;

1	Marbled Teal	<i>Marmaronetta angustirostris</i>	Choti Batakh, Degosh miri jhalai
2	Ferruginous Duck	<i>Aythya nyroca</i>	Kurchia, Bidnoon
3	Spot-bill Duck	<i>Anas poecilorhyncha</i>	HanHanjar Batakh/ Garpai, Gugral, Hampur, Hangro, Hanjar
4	Cotton Teal	<i>Nettapus coromandelicus</i>	Bali Hans / Giri, Garria, Kalaichiklo

(viii) All individuals of water bird species such as Herons, Egrets, Flamingos, Pelicans, Ibis, Storks, Grebes, Plovers, Lapwings, Geese, Swans and Sandpipers;

(ix) All individuals of Raptor species such as Hawks, Buzzards, Eagles. Harriers, Ospreys, Vultures, Kites, Falcons and Kestrels;

(x) All individuals of following other bird species:-

1	Owls	Ulloo
2	Woodpeckers	Hudhud, Tarkhaan
3	Starlings	Tiliar
4	Alexandrine Parakeet	

(xi) The Pheasants, Chakur and Partridge of family PHASIANIDAE including the following:-

1	Common Peafowl	<i>Pavo cristatus</i>	More, More
2	Black Partridge	<i>Francolinus francolinus</i>	Kala Titar/ Tetra, Kais Titar, Karo Titra
3	Chukor Partridge	<i>Electoris gracea</i>	Chukor, Chakur, Chukra, Khonk Charu, Zerk, Chakor
4	Western Horned Tragopan	<i>Tragopan melanocephalus</i>	Dana Geer

(xii) All Cranes, Bustards and Pigeons

(xiii) All members of Reptile group that includes:-

- (a) Crocodiles
- (b) Gharial
- (c) Snakes
- (d) Lizards
- (e) Skinks / Lacertas, and Monitor Lizards
- (f) Marine Turtles
- (g) Fresh Water Turtles
- (h) Tortoises

(xiv) All Corals found in the coastal belt or marine waters of Sindh.

SECOND SCHEDULE
GAME ANIMALS
(See section 2(xxxi).

The following Wildlife are permissible to be hunted, until otherwise as per provisions of this Act;

- (a) prescribed permit (ordinary or special) issued by authorized officer is in possession of hunter himself
- (b) found in Non-Protected areas declared and notified as open for hunting
- (c) hunting is carried out during prescribed open season and open days of the week of the specific season

(i) Ducks

1	Lesser Whistling Teal	<i>Dendrocygna javanica</i>	Silahli	Not more than 15 Ducks of all species per day	1 st Saturday of October to Last Sunday of February (Saturday & Sunday only)
2	Ruddy Shel Duck or Brahminy Duck	<i>Tadorna ferruginea</i>	Surkhab, Chakwa, Lal Surkhab		
3	Common Shel Duck	<i>Tadorna tadorna</i>	Safro Chakwa, Safed Surkhab		
4	Pintail	<i>Anas acuta</i>	Sanh, Sikhpar, Digosh		
5	Common Teal	<i>Anas crecca</i>	Keraputari, Suchuruka, Huraro		
6	Mallard	<i>Anas platyrhynchos</i>	Chaka, Nilsar, Nilrugi		
7		<i>Anas falcate</i>	Chotiya, Wano hurwa		
8	Wigeon	<i>Anas penelope</i>	Peasan, Partarui, Lalsar		
9	Garganey	<i>Anas querquedula</i>	Chai Putari		
10	Shoveller	<i>Anas clypeata</i>	Tidari, Punana, Tarakwala, Ghira		
11	Red-crested Pochard	<i>Netta rufina</i>	Lalsar		
12	Common Pochard	<i>Aythya ferina</i>	Burama, Thurhandao.		
13	White-eyed Pochard	<i>Aythya nyroca</i>	Karachiya. Burar Mada, Lalbigri Budha		
14	Tufted Duck	<i>Aythya fuligula</i>	Dubara, Abtak Bohwara		
15	Goosander	<i>Mergus merganser</i>			

(ii) Coots and Moorhens

16	Coot	<i>Fulica atra</i>	Khushkal Dasari, Kanramdab	15 only per day	1 st Saturday of October to Last Sunday of February (Saturday & Sunday only)
17	White-breasted Moorhen	<i>Amauornis phoenicurus</i>	Dawak, Pampaira, Kuraki Kahoo	Not more then 4 of all species per day	
18	Moorhen	<i>Gallinula chloropus</i>	Jal Murgghi/ Dakabpairs Kahoo	day	
19	Purple Moorhen	<i>Porphyrio porphyrio</i>	Kaim, Kulang, Cajro, Kahoo	02 only per day	

(iii) Plovers, Sandpipers, Snipe and certain other Waders

20	White Tailed Lapwing	<i>Charadrius Leucurus</i>	Titiri, Titihar/Titoo	02 only per day	1 st Saturday of October to Last Sunday of February (Saturday & Sunday only)
21	Lapwing	<i>Vanellus vanellus</i>	Rodhur, Shaz Tittj, Titihar/Titoo	Not more then 2 of all species per day	
22	Red-wattled Lapwing	<i>Vanellus indicus</i>	Tita, Titori, Tatechar, Titihar/Titoo		
23	Yellow-wattled Lapwing	<i>Vanellus malabaricus</i>	Zirdi, Jithiri, Titihar/Titoo		
24	Eastern Golden Plover	<i>Pluvialis dominica</i>	Titiri / Sona Batan,	Not more then 6 of all species per day	
25	Fantail Snipe/ Common Snipe	<i>Gallinago gallinago</i>	Chaha / Pakhi, Jalari, Chaho		
26	Pintail Snipe	<i>Gallinago stenura</i>	Chaha / Pakhi, Jalakri, Kadakhocha, Chaho		
27	Jack Snipe	<i>Lymnocyptes minima</i>	Chaha / Choto Chaha, Asraf Pak, Chaho		
28	Painted Snipe	<i>Rostratula benghalensis</i>	Chaha / Rajchaha, Baggargi, Chaho		

(iv) Stone Curlews or Stone Plovers

29	Stone Curlew	<i>Burhinus oedicnemus</i>	Lambi Karakwanak, Basirl	05 only per day	1 st Saturday of October to Last Sunday of February (Saturday & Sunday only)
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(v) Partridges and Quails

30	Seesee Partridge	<i>Ammoperdix griseogularis</i>	Kuckie, Chauklau, Siai, Sissi	Not more then five of all species per day	15 th November to 15 th February on Sunday only
31	Grey Partridge	<i>Francolinus pondicerianus</i>	Bhoora Titar, Bagro		
32	Rain Quail or Black Breasted Quail	<i>Coturnix coromandelica</i>	Batair, Bataira	Not more then fifteen of all species per day	2 nd Saturday of August to 2 nd Sunday of September (Saturday & Sunday only)
33	Quail	<i>Coturnix Coturnix</i>	Bataira, Batair		

(vi) Sandgrouses

34	Indian or Chestnut Bellied Sandgrouse	<i>Pterocles exustus</i>	Bhat titar, Gero Bakht, Bakh	Not more than six of all species per day	1 st Saturday of October to Last Sunday of February (Saturday & Sunday only)
35	Spotted Sand Grouse	<i>Pterocles senegallus</i>			
36	Imperial or Black Bellied Sand Grouse	<i>Pterocles orientalis</i>	Bhat Titar, Gero Bakht, Bakh		
37	Coroneted or Crowned Sand Grouse	<i>Pterocles coronatus</i>	Bhatta, Bal		
38	Close-barred or Painted Sand Grouse	<i>Pterocles indicus</i>	Harisia, Sina Dukru		

(vii) Pigeons and doves

39	Rock Pigeons and other species of Pigeons commonly found in the Province excluding Imperial Pigeon, Pin-tailed Pigeon and Green Pigeon		<i>Kabootar</i>	Not more than six of all species per day	2 nd Saturday of August to 2 nd Sunday of September (Saturday & Sunday only)
40	All species of Doves commonly found in the Province		Fakhta, Ghero		

(viii) Mammals

41	Cape Hare	<i>Lepus capensis</i>	Khargosh, Sahoo	Note more than three hares of all species per day	1 st Saturday of September to last Sunday of March (Saturday & Sunday only)
42	Indian Hare	<i>Lepus nigricollis</i>	Khargosh, Sahoo		
43	Wild Boar	<i>Sus scrofa</i>	Khanzeer, Suwar, Suarr, Merun	Five only per one special permit	

**THIRD SCHEDULE
PUNISHMENT
(see section 71)**

PART (A) Of Protected Areas

Sr.No.	Offence	Whether wildlife Officer can arrest without warrant	Whether compoundable or not	Whether bailable or not	Punishable under the Act
1.	Contravention of clause (a) of sub-section (1) of section 9- hunting, shooting, killing, injuring, trapping, snaring and poisoning of wild animals found therein and,	Yes	Yes	Bailable	Imprisonment of either description up to 05 years with fine up to rupees Two lac fifty thousand.
2.	Contravention of clause (b) of sub-section (1) of section 9- polluting, poisoning, draining or diverting the water resource for the purpose other than the purpose which is essential for health of wildlife,	-Do-	Not	Non bailable	Imprisonment of either description up to 05 years with fine up to five lac fifty thousand rupees
3.	Contravention of clause (c) of sub-section (1) section 9- cutting, girdling, damaging, injuring or destroying floral resources or burning and collecting the plants or part thereof;	-Do-	Yes	Bailable	Imprisonment of either description for 06 months with fine up to rupees Fifty thousand.
4.	Contravention of clause (d) of sub-section (1) of section 9 - damaging the infrastructure and culturally significant natural structures, defacing, counterfeiting the boundary marks or breaking the land for mining, encroachment, cultivation or changing the land use,	-Do-	-Do-	Non bailable	Imprisonment of either description up to 05 years with fine up to rupees Five lac.
5.	Contravention of clause (e) of sub-section (1) of section 9- breaking the land for oil and gas exploration, seismic and or any kind of survey, drilling,	-Do-	-Do-	Non bailable	Imprisonment of either description up to 06 years with fine up to rupees Ten lac with value of loss as determined (u/s section 90)
6.	Contravention of clause (f) of sub-section (1) of section 9- drilling, kindling fire or abate in setting fire;	-Do-	-Do-	Non bailable	Imprisonment of either description up to 06 years with fine up to rupees One lac.
7.	Contravention of clause (g) of sub-section (1) of section 9 -Grazing, fishing, trespassing;	-Do-	-Do-	Bailable	Imprisonment of either description up to 06 months with fine up to rupees Fifty thousand.
8.	Contravention of clause (h) of sub-section (1) section 9 - blowing pressure horn and playing electronic instruments such as television, radio or tape recorder causing noise and car racing or other noise related sports;	Do-	-Do-	Bailable	Imprisonment of either description up to 03 months with fine up to rupees Twenty thousand.
9.	Contravention of clause (i) of sub-section (1) of section 9 - quarrying, causing or fashioning of natural stones, exploration and exploitation of mines and minerals;	Do-	-Do-	Non bailable	Imprisonment of either description up to 03 months with fine up to rupees Ten lac.

**THIRD SCHEDULE
PUNISHMENT
(see section 71)**

PART (B)

Sr.No.	Offence	Whether wildlife Officer can arrest without warrant	Whether compound able or not	Whether bailable or not	Punishable under the Act
	OFFENCE				
1.	<u>Contravention of Section 21</u> No person shall:				
10.	a) Hunt, kill; (a mammal)	Yes	Yes	bailable	Imprisonment of either description up to 05 years with fine up to rupees Two lac fifty thousand.
11.	1) trap, capture, (a mammal)	Yes	Yes	Bailable	Imprisonment of either description for 01 year with fine up to rupees One lac.
12.	2) smuggle; (a mammal, bird & reptile)	Yes	Yes	bailable	Imprisonment of either description for 03 year with fine up to rupees five lac including value per head as determined according to rules prescribed.
13.	3) possess and trade in wild Animals or parts thereof unless permitted; (a mammal, bird & reptile)	Yes	Yes	Bailable	Imprisonment of either description up to 01 year with fine up to rupees One lac.
14.	a. Hunting of animal other than wild boar with use of dogs;	Yes	Yes	bailable	Imprisonment of either description up to 05 years with fine up to rupees Two lac fifty thousand.
02.	<u>HUNTING OF BIRDS</u>				
	a) Black Partridge	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	b) Peafowl, Pheasants, Chakors	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.

	c) Grey Partridge, see-see, quail, Alexandrian Parakeet; Pigeon and all other live small game animals or trophy thereof	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	d) Houbara Bustard.	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
03.	<u>Waterfowls</u> Ducks, Coots and moorhens, Plovers, Sandpipers, Snipes, Lapwings, Waders and Curlews Herons, Egrets and Grebes Flamingos, Pelicans, Ibis and Storks Cranes	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.

Sr.No.	Offence	Whether wildlife Officer can arrest without warrant	Whether compound able or not	Whether bailable or not	Punishable under the Act
01.	UNLAWFUL POSSESSION OF THE WILD ANIMALS AS LIVE OR TROPHIES (OTHER THAN TRADE) CONTRAVENTION OF SECTION-49				
	Any live animal or trophy thereof found in transit without legal documents shall be seized in the first instance and may be released, provided; a) Valid certificate of lawful possession (CLP) or evidence of gift, transfer or purchase, is provided. b) Expired CLP is renewed on payment of prescribed fee c) Prescribed value and fine is paid in lieu of obtaining CLP	Yes	Yes	Yes	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
02.	Common Birds			Yes	
	e) Black Partridge, a Bird of Sindh	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	f) Peafowl, Pheasants, Chakors	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	g) Grey Partridge, see-see, quail, Pigeon and all other live small game animals or trophy thereof	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	Turtle and Tortoises	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.

03.	all other animals.	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	a. MamalsBirds of all kinds	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	b. Monkeys	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees five thousand per head.
	c. Bear	Yes	Yes	bailable	Imprisonment of either description up to 03 months with fine up to rupees fifty thousand per head.
	d. Snakes	Yes	Yes	bailable	Imprisonment of either description for 03 months with fine Rupees five thousand
	e. Lion / Leopard	Yes	Yes	bailable	Imprisonment of either description for 03 months with fine Rupees one lac per head.

04.	Unlawfull possession of exotic origin i.e from (other provinces or countries found in unlawful possession		Yes	bailable	Imprisonment of either description for 03 months with fine Rupees fifty thousand per head.
	Punishment shall be equivalent to that of similar kind found in the province and included in the list of Third Schedule. a. Other Birds b. Other Mammals c. Reptiles.	Yes	Yes	Bailable	Imprisonment of either description for 03 months with fine Up to Rupees fifty thousand per head.

PART C					
Sr.No.	Offence	Whether wildlife Officer can arrest without warrant	Whether compound able or not	Whether bailable or not	Punishable under the Act
	<u>Unlawful Trade (Import and Export)</u>	Yes	Yes	Bailable	Imprisonment of either description for 03 months with fine Rupees fifty thousand per head not less than five thousand per head.
	<u>Taxidermy</u>	Yes	Yes	Bailable	Imprisonment of either description for 03 months with fine up to Rupees fifty thousand per head not less than five thousand per head.
	Contravention of section 47 Cruelty to animals intentional or other-wise	Yes	Yes	Bailable	Imprisonment of either description for 03 months with fine Rupees fifty thousand per head.
	Bear baiting	Yes	Yes	Bailable	Imprisonment of either description for 03 months with fine Rupees one lac per head.
	Contravention of section-73 Interference in duty and abetment.	Yes	Yes	Nonbailable	Fine Rs: 100,000; 5 year imprisonment or both
	Contravention of section-11 Denial or laxity in providing assistance to wildlife officers.	Yes	Yes	Nonbailable	Fine Rs: 100,000; 5 year imprisonment or both
	Contravention of section 11 (lack of initiative and cooperation in extinguishing fire)	Yes	Yes	Nonbailable	01 year imprisonment or both;
	Contravention of section 41 (killing in self defense)	Yes	Yes	Nonbailable	Fine Rs. 500,000 05 year imprisonment or both

**Fourth Schedule
(See section 21(3))**

This Schedule of protection of wildlife and biological diversity of Sindh. It includes all members of the biological diversity. The biological diversity of Sindh (Terrestrial and Aquatic, Genetic and Cultural) shall be safeguarded and there shall be complete ban on its use until notified otherwise by law.

Contravention to the provisions of this Schedule shall be a compoundable offence and shall be dealt as per provisions of section 27 and if the offence is of serious nature in any protected area the provisions of section 86 shall apply.