



Bill No. XXXI of 2013

THE WILD LIFE (PROTECTION) AMENDMENT BILL, 2013

A

BILL

further to amend the Wild Life (Protection) Act, 1972.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Wild Life (Protection) Amendment Act, 2013.

Short title and
commence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

53 of 1972. 5 **2.** In the Wild Life (Protection) Act, 1972 (hereinafter referred to as the principal Act), in section 2,—

Amendment
of section 2.

(a) after clause (2), the following clause shall be inserted, namely:—

10 (2A) “animal trap” means any device designed to restrain or capture an animal and includes a leg hold trap device which usually works by means of jaws which close tightly upon one or more of the animal’s limbs, thereby preventing withdrawal of the limb or limbs from the trap;’;

(b) after clause (14), the following clause shall be inserted, namely:—

(14A) “Gram Sabha” means the Gram Sabha as defined in clause (b) of article 243 of the Constitution;’;

(c) in clause (15), after the words “wild animal”, the words “or specified plant” shall be inserted;

(d) in clause (16), in sub-clause (b), after the word “trapping”, the word “electrocuting” shall be inserted;

(e) after clause (22), the following clause shall be inserted, namely:— 5

‘(22A) “Panchayat” means the Panchayat as defined in clause (d) of article 243 of the Constitution;’;

(f) for clause (24), the following clause shall be substituted, namely:—

‘(24) “person” shall include any firm or company or any authority or association or body of individuals whether incorporated or not;’; 10

(g) after clause (26), the following clauses shall be inserted, namely:—

‘(26A) “Schedule” means a Schedule annexed to this Act;

(26B) “Scheduled Areas” means the Scheduled Areas referred to in sub-paragraph (1) of paragraph 6 of Part C of the Fifth Schedule to the Constitution;

(26C) “scientific research” means an activity carried out only for the purpose of research on any animal or plant specified in Schedules I to VII (except Schedule V) or discovered in the wild or its habitats;’; 15

(h) in clause (31), in sub-clause (b), after the word “nests”, the words “live nests” shall be inserted;

(i) in clause (35), after the word “firearms”, the words “chainsaw firearms, catapult” shall be inserted; 20

(j) in clause (36), for the words “and found wild in nature”, the words “or found wild in nature” shall be substituted;

(k) in clause (39), for the words “a circus”, the words “conservation and breeding centres” shall be substituted. 25

Amendment of section 5B.

3. In section 5B of the principal Act, in sub-section (3), for the words “functions assigned to it”, the words “functions assigned to it under the Act on such terms and conditions as may be prescribed” shall be substituted.

Insertion of new section 9A.

4. After section 9 of the principal Act, the following section shall be inserted, namely:— 30

Prohibition on animal traps.

“9A. (1) No person shall manufacture, sell, purchase, keep, transport or use any animal trap except with prior permission in writing of the Chief Wild Life Warden given for educational and scientific purposes.

(2) Every person, having on the date of commencement of the Wild Life (Protection) Amendment Act, 2013, the possession of any animal trap, shall within sixty days from such commencement, declare to the Chief Wild Life Warden, the number of animal traps and their description in his possession and the place or places where such traps have been stored. 35

(3) The Chief Wild Life Warden may, if he is satisfied that a person shall use an animal trap in his possession only for educational or scientific purposes, issue to such person, a written permission to possess such trap subject to such conditions as may be specified in such permission. 40

(4) All animal traps, declared under sub-section (2) and in respect of which permission has not been granted in writing by the Chief Wild Life Warden under sub-section (3), shall become the property of the State Government. 45

(5) In the prosecution for any offence under this section, it shall be presumed that a person in possession of animal trap is in unlawful possession of such trap, unless the contrary is proved by the accused:

5 Provided that in certain exceptional circumstances, to be determined by the Chief Wild Life Warden, use of animal traps, except leg hold traps may be permitted by the Chief Wild Life Warden for safeguarding the agricultural crops and property of farmers.”.

5. After section 12 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 12A.

10 “12A. (1) Notwithstanding anything contained in this Act, the Chief Wild Life Warden, shall on an application, grant a permit, by an order in writing to any person, to conduct scientific research.

Grant of permit for scientific research.

(2) Without prejudice to any law for the time being in force, the Chief Wild Life Warden shall ensure that all permits for scientific research have been processed and granted subject to such conditions and in such manner as may be prescribed.

(3) The Central Government may prescribe the following, namely:—

15 (a) the areas for conduct of scientific research;

(b) the person who shall be eligible for the grant of permits;

(c) the time frame in which proposals for scientific research shall be disposed of, which shall in no case exceed one hundred twenty days;

20 (d) the conditions subject to which permits for scientific research may be granted.”.

6. In section 18 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:—

Amendment of section 18.

25 “Provided that the State Government shall declare its intention to constitute any area which falls under the Scheduled Areas as a sanctuary in consultation with the Gram Sabha concerned.”.

7. In section 22 of the principal Act, for the words “the records of the State Government and the evidence of any person acquainted with the same”, the words “the records of the State Government and of the Gram Sabha and the Panchayat and the evidence of any person acquainted with the same” shall be substituted.

Amendment of section 22.

30 8. In section 28 of the principal Act, in sub-section (1), in clause (b), after the word “photography”, the words “and documentary film-making without making any change in the habitat or causing any adverse impact to the habitat or wild life” shall be inserted.

Amendment of section 28.

9. In section 29 of the principal Act, for the *Explanation*, the following *Explanation* shall be substituted, namely:—

Amendment of section 29.

35 “*Explanation.*—For the purposes of this section, grazing or movement of livestock permitted under clause (d) of section 33, or hunting of wild animals under a permit granted under section 11 or hunting without violating the conditions of permit granted under section 12, or the exercise of any rights permitted to continue under clause (c) of sub-section (2) of section 24, or the *bona fide* use of drinking and household water by local communities, shall not be deemed to be an act prohibited under this section.”.

40 10. In section 32 of the principal Act, for the words “other substances”, the words “other substances or equipment” shall be substituted.

Amendment of section 32.

11. In section 33 of the principal Act,—

Amendment of section 33.

45 (i) in the opening portion, after the words “manage and maintain all Sanctuaries”, the words “in accordance with such management plans prepared by it as per the guidelines issued by the Central Government and in case the Sanctuary also falls under the Scheduled Areas, in consultation with the Gram Sabha concerned,” shall be inserted;

50 (ii) in the proviso to clause (a), for the words “tourist lodges”, the words “tourist or Government lodges” shall be substituted.

- Amendment of section 35. **12.** In section 35 of the principal Act,—
 (i) in sub-section (1), after the proviso, the following proviso shall be inserted, namely:—
 “Provided further that the State Government shall declare its intention to constitute any area which falls under the Scheduled Areas as a National Park in consultation with the Gram Sabha concerned.”; 5
 (ii) after sub-section (2), the following sub-section shall be inserted, namely:—
 “(2A) The notification referred to in sub-section (1) shall, wherever available, include relevant details of forests (including forest compartment number) and revenue records pertaining to the area proposed to be declared as a National Park.”; 10
 (iii) in sub-section (8), for the words and figures “sections 27 and 28”, the words, figures and letter “sections 18A, 27 and 28,” shall be substituted.
- Amendment of section 36D. **13.** In section 36D of the principal Act, in sub-section (2),—
 (i) for the words “five representatives”, the words “not less than three representatives” shall be substituted; 15
 (ii) after sub-section (2), the following sub-section shall be inserted, namely:—
 “(2A) Where a community reserve is declared on private land under sub-section (1) of section 36C, the Community Reserve management committee shall consist of the owner of the land along with a representative of the State Forests or Wild Life Department under whose jurisdiction the Community Reserve is located and also the representative of the Panchayat concerned or the tribal community, as the case may be.”. 20
- Amendment of section 38. **14.** In section 38 of the principal Act, in sub-section (2), the following proviso shall be inserted, namely:— 25
 “Provided that the State Government shall declare any area which falls under the Scheduled Areas to be a National Park in consultation with the Gram Sabha concerned.”.
- Amendment of section 38C. **15.** In section 38C of the principal Act, after clause (a), the following clause shall be inserted, namely:—
 “(aa) supervise the overall functioning of the zoo and authorise the concerned Chief Wild Life Warden to supervise the zoo;”. 30
- Amendment of section 38J. **16.** Section 38J of the principal Act shall be renumbered as sub-section (1) the roof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—
 “(2) The Central Zoo Authority shall issue guidelines for the purposes of this section.”. 35
- Amendment of section 38L. **17.** In section 38L of the principal Act, in sub-section (2), for clauses (l) and (m), the following clauses shall be substituted, namely:—
 “(l) Chairperson, National Commission for the Scheduled Tribes or an officer authorised by him;
 (m) Chairperson, National Commission for the Scheduled Castes or an officer authorised by him;”. 40
- Amendment of section 38-O. **18.** In section 38-O of the principal Act, in sub-section (1), in clause (a), after the words “of this Act”, the words “and make grants to it for such Plan” shall be inserted.
- Insertion of new section 38XA. **19.** After section 38X of the principal Act, the following section shall be inserted, namely:— 45
 “38XA. The provisions contained in this Chapter shall be in addition to, and not in derogation of, the provisions relating to the Sanctuaries and National Parks (whether included and declared, or are in the process of being so declared) included in a tiger reserve under this Act.”.
- Provisions of this Chapter shall be in addition to provisions relating to Sanctuaries and National Parks.

20. In Chapter IVC of the principal Act, in the heading, for the words “TIGER AND OTHER ENDANGERED SPECIES”, the words “WILD LIFE” shall be substituted. Amendment of Chapter IVC.
21. For section 38Y of the principal Act, the following section shall be substituted, namely:— Substitution of new section for section 38Y.
- 5 “38Y. The Central Government may, for the purpose of this Act, by order published in the Official Gazette, constitute a Wild Life Crime Control Bureau consisting of— Constitution of Wild Life Crime Control Bureau.
- (a) the Director of Wild Life Preservation—Director *ex officio*;
- (b) the Inspector-General of Police—Additional Director;
- (c) the Deputy Inspector-General of Police—Joint Director;
- 10 (d) the Deputy Inspector-General of Forests—Joint Director;
- (e) the Additional Commissioner (Customs and Central Excise)—Joint Director; and
- (f) such other officers as may be appointed from amongst the officers referred to in sections 3 and 4 of this Act.”.
- 15 22. In section 39 of the principal Act,— Amendment of section 39.
- (i) in sub-section (1), in clause (a), after the words “bred in captivity or hunted”, the words, figures and letter “or specified plant picked, uprooted, kept, damaged or destroyed, dealt with or sold under section 17A” shall be inserted;
- (ii) after sub-section (3), the following sub-section shall be inserted, namely:—
- 20 “ (4) Where any such Government property is a live animal, the State Government shall ensure that it is housed and cared for by a recognised zoo or rescue centre when it cannot be released to its natural habitat.”.
23. After Chapter VA of the principal Act, the following Chapter shall be inserted, namely:— Insertion of new Chapter VB.
- 25 ‘CHAPTER VB
- REGULATION OF INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA AS PER CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA
- 49D. In this Chapter, unless the context otherwise requires,— Definitions for the purposes of this Chapter.
- 30 (a) “artificially propagated” means plants which have been grown under controlled conditions from plant materials grown under similar conditions;
- (b) “bred in captivity” means produced from parents in captivity;
- (c) “Convention” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed at Washington, D.C., in the United States of America on the 3rd of March, 1973, and amended at Bonn on the 22nd of June, 1979, its appendices, decisions, resolutions and notifications made thereunder and its amendments, to the extent binding on India;
- 35 (d) “exotic species” means species of animals and plants not found in wild in India and not listed in the Appendices to the Convention but notified as such by the Management Authority under sub-section (3) of section 49F for the reasons mentioned in clause (b) of section 49E;
- 40 (e) “export” means export from India to any other country of animal, animal article, meat, trophy, specimen, exotic species or of any of them;
- (f) “import” means import into India from any other country of animal, animal article, meat, trophy, specimen, exotic species or of any of them;
- 45 (g) “Management Authority” means the Management Authority designated under section 49F;
- (h) “plant” means any member, alive or dead, of the plants listed in Schedule VII including seeds, roots and other parts thereof;

(i) “readily recognisable part or derivative” includes any specimen which appears from an accompanying document, the packaging or a mark or label, or from any other circumstances, to be a part or derivative of an animal or plant of species listed in Schedule VII;

(j) “re-export” means export of any specimen that has previously been imported;

(k) “Scientific Authority” means a Scientific Authority designated under section 49H;

(l) “scheduled specimen” means any specimen of species listed in Appendices I, II and III of the Convention and incorporated as such in Schedule VII;

(m) “specimen” means—

(i) any animal or plant, whether alive or dead;

(ii) in the case of an animal,—

(A) for species included in Appendices I and II, any readily recognisable part or derivative thereof;

(B) for species included in Appendix III, any readily recognisable part or derivative thereof specified in Appendix III of Schedule VII in relation to the species; and

(iii) in the case of a plant,—

(A) for species included in Appendix I, any readily recognisable part or derivative thereof;

(B) for species included in Appendices II and III, any readily recognisable part or derivative thereof specified in Appendices II and III of Schedule VII in relation to the species;

(n) “trade” means export, re-export, import and introduction from the sea.

49E. The provisions of this Chapter shall apply to,—

(a) specimens of animal and plant species listed in Schedule VII; and

(b) exotic species of animals and plants specimens not covered by Schedule VII which require regulation,—

(i) to protect the indigenous gene pool of the wild life found in India; or

(ii) such species as it may be invasive in nature and may pose a threat to the wild life or ecosystems of India; or

(iii) as such species are, in the opinion of the Scientific Authority, critically endangered in the habitats in which they occur naturally.

Provisions of this Chapter to apply to animal and plant species listed in Schedule VII and exotic species.

Designation of Management Authority and other officers.

49F. (1) The Central Government may, by notification, designate an officer not below the rank of an Additional Director General of Forests as the Management Authority for discharging the functions and exercising the powers under this Act.

(2) Without prejudice to the Customs Act, 1962 or rules made or notifications issued thereunder or any law for the time being in force, the Management Authority shall be responsible for issuance of permits and certificates regulating the import, export and re-export of any scheduled specimen, submission of reports and other functions as required under this Chapter.

(3) The Management Authority shall, by notification, and on the advice of the Scientific Authority, notify the exotic species of animals and plants not covered by the Convention.

(4) The Management Authority shall prepare and submit annual and biennial reports to the Central Government.

(5) The Central Government may appoint such officers and employees as may be necessary to assist the Management Authority in discharging its functions or exercising its powers under this Chapter, on such terms and conditions of service including salaries and allowances as may be prescribed.

5 (6) The Management Authority may, with the prior approval of the Central Government, delegate its functions or powers [except the power to notify exotic species under sub-section (3)], to such officers not below the rank of Assistant Inspector General of Forests, as it may consider necessary for the purposes of this Chapter.

10 49G. The Management Authority shall, while discharging its functions or exercising its powers under the provisions of this Chapter, be guided by the following principles, namely:—

General principles to be followed by Management Authority.

(i) the export or re-export or import of a specimen under Schedule VII is in accordance with the provisions of this Chapter;

(ii) specimens for export or import are not obtained in contravention of any laws, for the time being in force relating to protection of fauna and flora;

15 (iii) export or re-export of any living specimen is so arranged and shipped as to minimise the risk of injury, damage to health or cruel treatment;

(iv) the import of any specimen listed in Appendix I of Schedule VII is not used for primarily commercial purposes;

20 (v) the re-export of living specimen of species listed in Appendix I or Appendix II of Schedule VII shall require the prior grant and submission of a re-export certificate issued as per the provisions of the Convention;

(vi) the proposed recipient of a living specimen is suitably equipped to house and take care of it;

25 (vii) the import of any specimen of a species included in Appendix I or Appendix II of Schedule VII shall require the submission of either an export permit or a re-export certificate under this Act in addition to the requirement of export permit or re-export certificate under any other law for the time being in force;

30 (viii) the introduction from the sea of any specimen of a species included in Appendix I or Appendix II of Schedule VII shall require the grant of a certificate from the Management Authority of the country of introduction issued under the provision of the Convention;

35 (ix) the export of any specimen of a species included in Appendix III of Schedule VII from any country which has included that species in Appendix III shall require grant and submission of an export permit which shall only be granted when conditions (ii) and (iii) have been fulfilled;

(x) the import of any specimen of a species included in Appendix III of Schedule VII shall require,—

(a) the submission of certificate of origin; and

40 (b) where the import is from a country which has included that species in Appendix III, an export permit; or

45 (c) in the case of re-export, a certificate granted by the Management Authority of the country of re-export that the specimen was processed in that country or is being re-exported, may be accepted by the country of import as evidence that the provisions of the Convention have been complied with in respect of the specimen concerned.

Explanation.—In clause (viii), the expression “introduction from the sea” means transportation into India of specimens of any species which were taken from the marine environment not under the jurisdiction of India.

Designation
of Scientific
Authorities.

49H. (1) The Central Government may, by notification, designate one or more institutes established by it and engaged in research in wild life, as the Scientific Authority for the purposes of this Chapter.

(2) The designated Scientific Authority shall advise the Management Authority in such matters as may be referred to it by the Management Authority. 5

(3) Whenever the Scientific Authority is of the opinion that the export of specimens of any such species be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I of Schedule VII, it shall advise the Management Authority to take such appropriate measures to limit the grant of export permits for specimens of that species as the Scientific Authority may deem necessary for said purpose. 10

(4) The Scientific Authority, while advising the Management Authority shall be guided by the following principles, namely:—

(a) that such export or import referred to in section 49G shall not be detrimental to the survival of that species; and 15

(b) proposed recipient of a living specimen is suitably equipped to house and take care for it.

(5) The Scientific Authority shall monitor the export permits granted by the Management Authority for specimens of species included in Appendix II of Schedule VII. 20

(6) It shall be the duty of the Scientific Authority to identify and inform the Management Authority of exotic species of animals and plants which are not covered by Schedule VII and require regulation thereof—

(i) to protect the indigenous gene pool of the wild life found in India; or

(ii) to avoid threat to the wild life or ecosystems of India as such species are invasive in nature; or 25

(iii) to protect such species as they, in the opinion of the Scientific Authority, are critically endangered in the habitats in which they occur naturally.

Power of
Central
Government
to issue
directions.

49-I. The Management Authority and the Scientific Authority, shall, while performing their duties and exercising powers by or under this Chapter, be subject to such general or special directions, as the Central Government may, from time to time, give in writing. 30

Constitution
of
co-ordination
committee.

49J. (1) The Central Government may, by notification, constitute a co-ordination committee, for the purpose of ensuring co-ordination between the Management Authority and Scientific Authority, State Chief Wild Life Wardens and other enforcement authorities or agencies dealing with trade in wild life. 35

(2) The co-ordination committee referred to in sub-section (1) shall meet at such time and place and shall observe such rules of procedure in regard to the transaction of business at its meetings, including the quorum at its meetings, as may be prescribed.

International
trade in
scheduled
specimens and
restriction in
respect
thereof.

49K. (1) No person shall enter into any trade in scheduled specimens included in Appendix I of Schedule VII: 40

Provided that the scheduled specimens included in Appendix I of Schedule VII bred in captivity for commercial purposes, (except those which cannot be released in the wild), or of a plant species included in the said Appendix I and artificially propagated for commercial purposes shall be deemed to be scheduled specimen included in Appendix II of Schedule VII. 45

(2) Subject to the provisions contained in sub-section (1), no person shall enter into any trade in any scheduled specimen except in accordance with the certificate granted by the Management Authority or the officer authorised by it in such manner as may be prescribed.

(3) Every person trading in any scheduled specimen shall report the details of the scheduled specimen and the transaction to the Management Authority or the officer authorised by it in such manner as may be prescribed.

(4) Every person, desirous of trading in a scheduled specimen, shall present it for clearance to the Management Authority or the officer authorised by it or a customs officer only at the ports of exit and entry specified thereof.

49L. (1) Every person possessing an exotic species or scheduled specimen shall report the details of such specimen or specimens to the Management Authority or the officer authorised by it within such period and in such manner as may be prescribed.

(2) The Management Authority or the officer authorised by it may, on being satisfied that any exotic species or scheduled specimen was in possession of a person being the owner prior to the date of coming into force of the Wild Life (Protection) Amendment Act, 2013 and the rules made thereunder, or was obtained, in conformity with the Convention, register the details of such scheduled specimen or exotic species and issue a registration certificate in the prescribed manner allowing the owner to retain such specimen.

(3) Any person who transfers possession, by any means whatsoever, of any scheduled specimen or exotic species shall report the details of such transfer to the Management Authority or the officer authorised by it in such form and within such period and in such manner as may be prescribed.

(4) The Management Authority or the officer authorised by it shall register all transfers of scheduled specimens or exotic species and issue the transferee with a registration certificate in such manner as may be prescribed.

(5) Any person in possession of any live scheduled specimen or exotic species which bears any offspring shall report the birth of such offspring to the Management Authority or the officer authorised by it in such form and within such period and in such manner as may be prescribed.

(6) The Management Authority or the officer authorised by it shall on receipt of the report under sub-section (5) register any offspring born to any scheduled specimen or exotic species and issue the owner with a registration certificate in such manner as may be prescribed.

(7) No person shall possess, transfer or breed any scheduled specimen or exotic species except in conformity with this section and such rules as may be prescribed.

(8) The owner of an exotic species or scheduled specimen shall take all necessary precautions to ensure that it does not contaminate the indigenous gene pool of the wild life found in the country in any manner.

49M. (1) Every person who is engaged in the breeding in captivity or artificially propagating any scheduled specimen listed in Appendix I of Schedule VII shall make, within a period of ninety days of the commencement of the Wild Life (Protection) Amendment Act, 2013, an application for registration to the Conservator of Forest (Wild Life).

(2) The form of application to be made to the Conservator of Forest (Wild Life) under sub-section (1), the particulars to be contained in such application form, the manner in which such application shall be made, the fee payable on such application, the form of certificate of registration, the procedure to be followed in granting or cancelling the certificate of registration shall be such as may be prescribed.

49N. (1) On receipt of application under sub-section (1) of section 49M, the Conservator of Forest (Wild Life) shall, if—

(a) the application is in the prescribed form; and

(b) satisfied that the provisions of the Act and rules made thereunder have been duly complied with,

Possession, breeding and domestic trade of exotic species or scheduled specimens.

Registration of persons engaged in breeding or artificially propagating Scheduled Specimen.

Registration and issue of certificate of registration.

record an entry of the statement in a register and register the applicant and grant him a certificate of registration.

(2) If the Conservator of Forest (Wild Life) is not satisfied that the provisions of the Act and rules made thereunder are complied with or if a false particular is furnished, he may refuse or cancel the registration, as the case may be: 5

Provided that an opportunity of being heard shall be given to the applicant before the registration is refused or as the case may be, the registration is cancelled.

(3) The certificate of registration under sub-section (1) shall be issued for a period of two years and may be renewed after two years on payment of such fee as may be prescribed.

(4) Any person aggrieved by the refusal of the Conservator of Forest (Wild Life) or cancellation of registration under sub-section (2) may prefer an appeal to the Chief Wild Life Warden. 10

Prohibition of erasing of a mark of identification.

49-O. No person shall alter, deface, erase or remove a mark of identification affixed upon the exotic species or scheduled specimen or its package.

Exotic species of scheduled specimen to be Government property.

49P. (1) Every exotic species or scheduled specimen, in respect of which any offence against this Act or rules made thereunder has been committed, shall become the property of the Central Government. 15

(2) The provisions of section 39 shall, so far as may be, apply in relation to the exotic species or scheduled specimen as they apply in relation to wild animals and animals articles referred to in sub-section (1) of that section. 20

(3) Where specimen referred to in sub-section (2) is a live animal, the State Government shall ensure that it is housed and cared for by a recognised zoo or rescue centre in case it cannot be released to its natural habitat.’

Amendment of section 50.

24. In section 50 of the principal Act,—

(a) in sub-section (1),— 25

(i) after the words “any Forest Officer”, the words “or any officer authorised by the Management Authority” shall be inserted;

(ii) after the words “a sub-inspector”, the words “or any customs officer not below the rank of an inspector or any officer of the coast guard not below the rank of an Assistant Commandant” shall be inserted; 30

(b) after sub-section (9), the following sub-section shall be inserted, namely:—

“(10) During any inquiry or trial of an offence under this Act, where it appears to the Judge or Magistrate that there is *prima facie* case that any property including vehicles and vessels, seized under clause (c) of sub-section (1) was involved in any way in the commission of an offence under this Act, the Judge or Magistrate shall not order for the return of such property to its rightful owner until the conclusion of the trial of the offence notwithstanding anything contained in section 451 of the Code of Criminal Procedure, 1973.”. 35

2 of 1974.

Insertion of new sections 50A and 50B.

25. After section 50 of the principal Act, the following sections shall be inserted, namely:— 40

Power to undertake delivery.

“50A. The Director of Wild Life Crime Control Bureau constituted under section 38Y or any other officer authorised by him in this behalf, may, notwithstanding anything contained in this Act, undertake control of delivery of any consignment to—

(a) any destination in India, in such manner as may be prescribed;

(b) a foreign country, in consultation with the competent authority of such foreign country to which a consignment is destined, in such manner as may be prescribed.

5 50B. (1) An officer-in-charge of a police station as and when so requested in writing by an officer mentioned in sub-section (1) of section 50, shall take charge of and keep in safe custody, pending the order of the Magistrate, all articles seized and delivered under this Act.

Police to take charge of article seized and delivered.

10 (2) The officer-in-charge may allow any officer to accompany such articles to the police station or who may be deputed, to affix his seal to such articles or to take samples of and from them and all samples so taken shall also be sealed with a seal of the officer-in-charge of the police station.

2 of 1974. 15 (3) Without prejudice to the provisions contained in the Code of Criminal Procedure, 1973, or any other law for the time being in force, the Central Government may, by rules, specify the manner of dealing with the articles forwarded to the police officer under sub-section (1).”.

26. For sections 51 and 51A of the principal Act, the following sections shall be substituted, namely:—

Substitution of new sections for section 51 and 51A.

20 “51. (1) Any person who contravenes any provision of this Act or any rule or order made thereunder, or terms and conditions of any licence or permit granted under this Act, shall be guilty of an offence against this Act, and shall, on conviction, be liable to be punished in the manner specified under sub-sections (2) to (7).

Penalties.

25 (2) Where the offence relates to any animal specified in Schedule I or Part II of Schedule II or the meat of such animal or animal article, trophy, or uncured trophy derived from such animal, such offence shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to seven years and also with fine which shall not be less than one lakh rupees but which may extend to twenty-five lakh rupees:

30 Provided that in the case of a second or subsequent offence, of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than five lakh rupees but which may extend to fifty lakh rupees.

35 (3) Where the offence relates to the sale or purchase or transfer or offer for sale or trade of any animal specified in Schedule I or Part II of Schedule II or the meat of such animal or animal article, trophy, or uncured trophy derived from such animal or any violation of Chapter VA, shall be punishable with imprisonment for a term which shall not be less than seven years and also with fine which shall not be less than fifteen lakh rupees:

40 Provided that in the case of a second or subsequent offence, of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than thirty lakh rupees.

(4) Where the offence relates to the sale or purchase or transfer or offer for sale or trade of any animal specified in Part I of Schedule II, Schedule III and Schedule IV, or the meat of such animal or animal article, trophy, or uncured trophy derived from such

animal, such offence shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees or with both:

Provided that in case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment which may extend to five years or with fine which may extend to three lakh rupees or with both.

5

(5) Where the offence relates to hunting in a Sanctuary or a National Park or altering the boundaries of a Sanctuary or a National Park, such offence shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to seven years and also with fine which shall not be less than five lakh rupees but which may extend to twenty-five lakh rupees:

10

Provided that in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than thirty lakh rupees.

(6) Where the offence relates to hunting in a tiger reserve or altering the boundaries of a tiger reserve, such offence shall be punishable with imprisonment for a term which shall not be less than seven years and also with fine which shall not be less than five lakh rupees but which may extend to thirty lakh rupees:

15

Provided that in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than fifty lakh rupees.

20

(7) Where the offence relates to contravention of the provisions of section 38J, shall be punishable with imprisonment for a term which may extend to six months or with a fine which may extend to five thousand rupees or with both:

Provided that in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment may extend to one year or with fine which may extend to ten thousand rupees or with both.

25

Other offences.

51A. (1) Where the offence relates to contravention of any other provision of this Act or any rule or order made thereunder, or the breach of any of the terms and conditions of any licence or permit granted under this Act, such offence shall be punishable with imprisonment for a term which may extend to three years and also with fine which may extend to twenty-five thousand rupees:

30

Provided that in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than three years but which may extend to five years and also with fine which shall not be less than fifty thousand rupees.

(2) When any person is convicted of an offence against this Act, the court trying the offence may order that any captive animal, wild animal, animal article, trophy, uncured trophy, meat, ivory imported into India or an article made from such ivory, any specified plant, or part or derivative thereof in respect of which the offence has been committed, and any trap, tool, vehicle, vessel or weapon, used in the commission of the said offence be forfeited to the State Government and that any licence or permit, held by such person under the provisions of this Act, be cancelled.

35

40

(3) Such cancellation of licence or permit or such forfeiture shall be in addition to any punishment that may be awarded for such offence.

54 of 1959. (4) Where any person is convicted of an offence against this Act, the court may direct that the licence, if any, granted to such person under the Arms Act, 1959, for possession of any arm with which an offence against this Act has been committed, shall be cancelled and that such person shall not be eligible for a licence under the Arms Act, 1959 for a period of 5 five years from the date of conviction.

2 of 1974. (5) Nothing contained in section 360 of the Code of Criminal Procedure, 1973 or in the 20 of 1958. Probation of Offenders Act, 1958 shall apply to a person convicted of an offence with respect to hunting in a Sanctuary or a National Park or of an offence against any provision of Chapter VA unless such person is under eighteen years of age.

10 51B. Notwithstanding anything contained in the Code of Criminal Procedure, 2 of 1974. 1973,—

(a) every offence punishable with a term of imprisonment for three years or more under this Act shall be cognizable offence;

15 (b) no person accused of an offence under sub-sections (1), (2), (3), (5) and (6) of section 51 shall be released on bail or on his own bond unless the Public Prosecutor has been given the opportunity to oppose the application for such release.”.

27. In section 55 of the principal Act,—

(a) after clause (ac), the following clause shall be inserted, namely:—

20 “(ad) the Management Authority or any officer, including an officer of the Wild Life Crime Control Bureau, authorised in this behalf by the Central Government; or”;

(b) the following proviso shall be inserted, namely:—

25 “Provided that a court may also take cognizance of any offence under this Act without the accused being committed to trial, upon perusal of a police report under section 173 of the Code of Criminal Procedure, 1973, of the facts constituting an offence under this Act.”.

28. In section 61 of the principal Act,—

30 (a) in sub-section (1), after the words “one Schedule to another”, the words “except Schedule VII” shall be inserted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“ (2) The Central Government may, in consultation with concerned State Governments by notification, add or omit or amend the entries in any of the Schedules to respond to area or site specific requirements of each State.”;

35 (c) after sub-section (3), the following sub-sections shall be inserted, namely:—

“ (4) The Central Government may, by notification, and in consultation with the Management Authority and the Scientific Authority, amend, vary or modify Schedule VII.

40 (5) Nothing contained in this Chapter and Schedule VII, shall affect anything contained in other provisions of the Act and the Schedules I to VI (both inclusive).

(6) Notwithstanding anything contained in this Act, where a particular species is listed under Schedules I, II, III, IV, V, or VI and Schedule VII, the provisions of this Act relevant to Schedules I to VI shall apply to such species.

45 (7) Every notification issued under this section shall be laid, as soon as may be it is issued, before each House of Parliament.”.

Certain conditions to apply while granting bail.

Amendment of section 55.

Amendment of section 61.

Amendment
of section 63.

29. In section 63 of the principal Act, in sub-section (I),—

(a) after clause (ai), the following clauses shall be inserted, namely:—

“(aii) the rules, standards or procedures and any other matter pertaining to Scientific Research;

(aiii) any matter relating to animal traps; 5

(aiv) terms and conditions of the committee, sub-committees or study groups under sub-section (3) of section 5B;

(av) terms and conditions of the Committees under section 8A;”;

(b) after clause (j), the following clauses shall be inserted, namely:—

“(ji) the terms and conditions of service including salaries and allowances of the officers and employees of the Management Authority under sub-section (5) of section 49F; 10

(jii) the rules of procedure for transaction of business at meetings of the co-ordination committee including quorum under sub-section (2) of section 49J;

(jiii) the manner of granting permits for possessing or trading in scheduled specimens under sub-section (2) of section 49K; and the manner of furnishing reports of such specimens to the Management Authority under sub-section (3) of section 49K; 15

(jiv) The period within which and the manner in which the details of exotic species or scheduled specimen to be reported under sub-section (1) of section 49L; 20

(jv) The period within which and the manner in which the details of transfer of exotic species or scheduled specimen under sub-section (3) of section 49L;

(jvi) The manner of registration certificate under sub-section (4) of section 49L;

(jvii) The form, period and the manner in which the birth of offspring of exotic species or scheduled specimen to be reputed under sub-section (5) of section 49L; 25

(jviii) The manner in which a registration certificate to be issued to the owner under sub section (6) of section 49M;

(jix) the rules to regulate possession, transfer or breeding under sub-section (7) of section 49L; 30

(jx) the form, particulars, manner, fee payable on the application and the form of certificate of registration and the procedure in granting or cancelling the certificate of registration under sub-section (2) of section 49M;

(jxi) the fee payable under sub-section (3) of section 49N;

(jxii) the manner of delivery of any consignment to any destination in India and to a foreign country under section 50A;”;

(c) after clause (l), the following clause shall be inserted, namely:—

“(m) any other matter which has to be, or may be, prescribed.”.

Substitution
of new
section for
section 65.

30. For section 65 of the principal Act, the following section shall be substituted, namely:— 40

“65. Nothing in this Act shall affect the hunting rights of the Scheduled Tribes of the Andaman Islands and the Nicobar Islands in the Union Territory of Andaman and Nicobar Islands, as notified by the Andaman and Nicobar Administration from time to time.”.

Rights of
Scheduled
Tribes in
Andaman and
Nicobar
Islands to be
protected.

Insertion of
new Schedule
VII.

31. After Schedule VI of the principal Act, the following Schedule shall be inserted, namely:— 45

"SCHEDULE VII
(See section 49E)

APPENDIX-I

FAUNA (ANIMALS)
PHYLUM CHORDATA
CLASS MAMMALIA
(MAMMALS)

5

ARTIODACTYLA

Antilocapridae: Pronghorn

- 10 1. Antilocapra americana
Bovidae: Antelopes, cattle, duikers, gazelles, goats, sheep etc.
2. Addax nasomaculatus
3. Bos gaurus
4. Bos mutus
- 15 5. Bos sauveli
6. Bubalus depressicornis
7. Bubalus mindorensis
8. Bubalus quarlesi
9. Capra falconeri
- 20 10. Capricornis milneedwardsii
11. Capricornis rubidus
12. Capricornis sumatraensis
13. Capricornis thar
14. Cephalophus jentinki
- 25 15. Gazella cuvieri
16. Gazella leptoceros
17. Hippotragus niger variani
18. Naemorhedus baileyi
19. Naemorhedus caudatus
- 30 20. Naemorhedus goral
21. Naemorhedus griseus
22. Nanger dama
23. Oryx dammah
24. Oryx leucoryx
- 35 25. Ovis ammon hodgsonii
26. Ovis ammon nigrimontana
27. Ovis orientalis ophion
28. Ovis vignei vignei
29. Pantholops hodgsonii

30. *Pseudoryx nghetinhensis*
31. *Rupicapra pyrenaica ornata*
- Camelidae: Guanaco, vicuna**
32. *Vicugna vicugna*
- Cervidae: Deer, guemals, muntjacs, pudus** 5
33. *Axis calamianensis*
34. *Axis kuhlii*
35. *Axis porcinus annamiticus*
36. *Blastocerus dichotomus*
37. *Cervus elaphus hanglu* 10
38. *Dama dama mesopotamica*
39. *Hippocamelus* spp.
40. *Muntiacus crinifrons*
41. *Muntiacus vuquangensis*
42. *Ozotoceros bezoarticus* 15
43. *Padu puda*
44. *Rucervus duvaucelii*
45. *Rucervus eldii*
- Moschidae: Musk deer**
46. *Moschus* spp. (Only the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan; all other populations are included in Appendix II) 20
- Suidae: Babirusa, pygmy hog**
47. *Babyrousa babyrussa*
48. *Babyrousa bolabatuensis* *Babyrousa celebensis*
49. *Babyrousa togeanensis* 25
50. *Sus salvanius*
- Tayassuidae: Peccaries**
51. *Catagonus wagneri*
- CARNIVORA**
- Ailuridae: Red panda** 30
52. *Ailurus fulgens*
- Canidae: Bush dog, foxes, wolves**
53. *Canis lupus* (Only the populations of Bhutan, India, Nepal and Pakistan; all other populations are included in Appendix II. Excludes the domesticated form and the dingo which are referenced as *Canis lupus familiaris* and *Canis lupus dingo*) 35
54. *Speothos venaticus*
- Felidae: Cats**
55. *Acinonyx jubatus*
56. *Caracal caracal* (Only the population of Asia; all other populations are included in Appendix II) 40
57. *Catopuma temminckii*
58. *Felis nigripes*

59. *Leopardus geoffroyi*
 60. *Leopardus jacobitus*
 61. *Leopardus pardalis*
 62. *Leopardus tigrinus*
 5 63. *Leopardus wiedii*
 64. *Lynx pardinus*
 65. *Neofelis nebulosa*
 66. *Panthera leo persica*
 67. *Panthera onca*
 10 68. *Panthera pardus*
 69. *Panthera tigris*
 70. *Pardofelis marmorata*
 71. *Prionailurus bengalensis bengalensis* (Only the populations of the Bangladesh, India and Thailand; all other populations are included in Appendix II)
 15 72. *Prionailurus planiceps*
 73. *Prionailurus rubiginosus* (Only the population of India; all other populations are included in Appendix II)
 74. *Puma concolor coryi*
 75. *Puma concolor costaricensis*
 20 76. *Puma concolor cougar*
 77. *Puma yagouaroundi* (Only the populations of Central and North America; all other populations are included in Appendix II)
 78. *Uncia uncia*
- Lutrinae: Otters**
- 25 79. *Aonyx capensis microdon* (Only the population of Cameroon and Nigeria; all other populations are included in Appendix II)
 80. *Enhydra lutris nereis*
 81. *Lontra felina*
 82. *Lontra longicaudis*
 30 83. *Lontra provocax*
 84. *Lutra lutra*
 85. *Lutra nippon*
 86. *Pteronura brasiliensis*
- Mustelinae: Grisons, honey badger, martens, tayra, weasels**
- 35 87. *Mustela nigripes*
- Otariidae: Fur seals, sealions**
88. *Arctocephalus townsendi*
- Phocidae: Seals**
89. *Manochus* spp.
- 40 **Ursidae: Bears, giant panda**
90. *Ailuropoda melanoleuca*
 91. *Helarctos malayanus*
 92. *Melursus ursinus*

93. Tremarctos ornatus	
94. Ursus arctos (Only the populations of Bhutan, China, Mexico and Mongolia; all other populations are included in Appendix II)	
95. Ursus arctos isabellinus	
96. Ursus thibetanus	5
Viverridae: Binturong, civets, linsangs, otter-civet, palm civets	
97. Prionodon pardicolor	
CETACEA: Dolphins, porpoises, whales	
Balaenidae: Bowhead whale, right whales	
98. Balaena mysticetus	10
99. Eubalaena spp.	
Balaenopteridae: Humpback whale, rorquals	
100. Balaenoptera acutorostrata (Except the population of West Greenland, which is included in Appendix II)	
101. Balaenoptera bonaerensis	15
102. Balaenoptera borealis	
103. Balaenoptera edeni	
104. Balaenoptera musculus	
105. Balaenoptera omurai	
106. Balaenoptera physalus	20
107. Megaptera novaeangliae	
Delphinidae: Dolphins	
108. Orcaella brevirostris	
109. Orcaella heinsohni	
110. Sotalia spp.	25
111. Sousa spp.	
Eschrichtiidae: Grey whale	
112. Eschrichtius robustus	
Iniidae: River dolphins	
113. Lipotes vexillifer	30
Neobalaenidae: Pygmy right whale	
114. Caperea marginata	
Phocoenidae: Porpoises	
115. Neophocaena Phocaenoides	
116. Phocoena sinus	35
Physeteridae: Sperm whales	
117. Physeter macrocephalus	
Platanistidae: River dolphins	
118. Platanista spp.	
119. Ziphiidae: Beaked whales, bottle-nosed whales	40
120. Berardius spp.	
121. Hyperoodon spp.	

CHIROPTERA**Pteropodidae: Fruit bats, flying foxes**

122. *Acerodon jubatus*
 123. *Pteropus insularis*
 5 124. *Pteropus loochoensis*
 125. *Pteropus mariannus*
 126. *Pteropus molossinus*
 127. *Pteropus pelewensis*
 128. *Pteropus pilosus*
 10 129. *Pteropus samoensis*
 130. *Pteropus tonganus*
 131. *Pteropus ualanus*
 132. *Pteropus yapensis*

CINGULATA15 **Dasypodidae: Armadillos**

133. *Priodontes maximus*

DASYUROMORPHIA**Dasyuridae: Dunnarts**

134. *Sminthopsis longicaudata*
 20 135. *Sminthopsis psammophila*

Thylacinidae: Tasmanian wolf, thylacine

136. *Thylacinus cynocephalus*
 (possibly extinct)

DIPROTODONTIA25 **Macropodidae: Kangaroos, wallabies**

137. *Lagorchestes hirsutus*
 138. *Lagostrophus fasciatus*
 139. *Onychogalea fraenata*
 140. *Onychogalea lunata*
 30 141. Phalangeridae Cuscuses

Potoroidae: Rat-kangaroos

142. *Bettongia* spp.
 143. *Caloprymnus campestris*
 (possibly extinct)

35 **Vombatidae: Northern hairy-nosed wombat**

144. *Lasiorhinus krefftii*

LAGOMORPHA**Leporidae: Hispid hare, volcano rabbit**

145. *Caprolagus hispidus*
 40 146. *Romerolagus diazi*

PERAMELEMORPHIA**Chaeropodidae: Pig-footed bandicoots**

147. *Chaeropus ecaudatus*
 (possibly extinct)

Peramelidae: Bandicoots, echymiperas	
148. Perameles bougainville	
Thylacomyidae: Bilbies	
149. Macrotis lagotis	
150. Macrotis leucura	5
PERISSODACTYLA	
Equidae: Horses, wild asses, zebras	
151. Equus africanus	
152. Equus grevyi	
153. Equus hemionus hemionus	10
154. Equus hemionus khur	
155. Equus przewalskii	
156. Equus zebra zebra	
Rhinocerotidae: Rhinoceroses	
157. Rhinocerotidae spp. (Except the subspecies included in Appendix II)	15
Tapiridae: Tapirs	
158. Tapiridae spp. (Except the species included in Appendix II)	
PRIMATES: Apes, monkeys	
Atelidae: Howler and prehensile-tailed monkeys	
159. Alouatta coibensis	20
160. Alouatta palliata	
161. Alouatta pigra	
162. Ateles geoffroyi frontatus	
163. Ateles geoffroyi panamensis	
164. Brachyteles arachnoides	25
165. Brachyteles hyposanthus	
166. Oreonax flavicauda	
167. Cebidae New World monkeys	
168. Callimico goeldii	
169. Callithrix aurita	30
170. Callithrix flaviceps	
171. Leontopithecus spp.	
172. Saguinus bicolor	
173. Saguinus geoffroyi	
174. Saguinus leucopus	35
175. Saguinus martinsi	
176. Saguinus Oedipus	
177. Saimiri oerstedii	
Cercopithecidae: Old World monkeys	
178. Cercocebus galritus	40
179. Cercopithecus diana	
180. Cercopithecus roloway	
181. Macaca silenus	

182. *Mandrillus leucophaeus*
 183. *Mandrillus sphinx*
 184. *Nasalis larvatus*
 185. *Ptilocolobus kirkii*
 5 186. *Ptilocolobus rufomitratu*
 187. *Presbytis potenziani*
 188. *Pygathrix* spp.
 189. *Rhinopithecus* spp.
 190. *Semnopithecus ajax*
 10 191. *Semnopithecus dussumieri*
 192. *Semnopithecus entellus*
 193. *Semnopithecus hector*
 194. *Semnopithecus hypoleucos*
 195. *Semnopithecus priam*
 15 196. *Semnopithecus schistaceus*
 197. *Simias concolor*
 198. *Trachypithecus geei*
 199. *Trachypithecus pileatus*
 200. *Trachypithecus shortridgei*
 20 **Cheirogaleidae: Dwarf lemurs**
 201. *Cheirogaleidae* spp.
Daubentoniidae: Aye-aye
 202. *Daubentoni madagascariensis*
Hominidae: Chimpanzees, gorilla, orang-utan
 25 203. *Gorilla beringei*
 204. *Gorilla gorilla*
 205. *Pan* spp.
 206. *Pongo abelii*
 207. *Pongo pygmaeus*
 30 208. *Hylobatidae* Gibbons
 209. *Hylobatidae* spp.
Indriidae: Avahi, indris, sifakas, woolly lemurs
 210. *Indriidae* spp.
Lemuridae: Large lemurs
 35 211. *Lemuridae* spp.
Lepilemuridae: Sportive lemurs
 212. *Lepilemuridae* spp.
Lorisidae: Lorises
 213. *Nycticebus* spp.
 40 **Pitheciidae: Sakis and Uakaris**
 214. *Cacajao* spp.
 215. *Chiropotes albinasus*

PROBOSCIDEA	
Elephantidae: Elephants	
216. <i>Elephas maximus</i>	
217. <i>Laxodonta africana</i> (Except the populations of Botswana, Namibia, South Africa and Zimbabwe, which are included in Appendix-II)	5
RODENTIA	
Chinchillidae: Chinchillas	
218. <i>Chinchilla</i> spp. (Specimens of the domesticated form are not subject to the provisions of the Convention)	
Muridae: Mice, rats	
219. <i>Leporillus conditor</i>	10
220. <i>Pseudomys fieldi praeconis</i>	
221. <i>Xeromys myoides</i>	
222. <i>Zyzomys pedunculatus</i>	
Sciuridae: Ground squirrels, tree squirrels	
223. <i>Cynomys mexicanus</i>	15
SIRENIA	
Dugongidae: Dugong	
224. <i>Dugong dugon</i>	
Trichechidae: Manatees	
225. <i>Trichechus inunguis</i>	20
226. <i>Trichechus manatus</i>	
CLASS AVES	
(BIRDS)	
ANSERIFORMES	
Anatidae: Ducks, geese, swans, etc.	
227. <i>Anas aucklandica</i>	25
228. <i>Anas chlorotis</i>	
229. <i>Anas laysanensis</i>	
230. <i>Anas nesiotis</i>	30
231. <i>Asarcornis scutulata</i>	
232. <i>Branta canadensis leucopareia</i>	
233. <i>Branta sandvicensis</i>	
234. <i>Rhodonessa caryophyllacea</i> (possibly extinct)	35
APODIFORMES	
Trochilidae: Hummingbirds	
235. <i>Glaucis dohrnii</i>	
CHARADRIIFORMES	
Laridae: Gull	
236. <i>Larus relictus</i>	40
Scolopacidae: Curlews, greenshanks	
237. <i>Numenius borealis</i>	
238. <i>Numenius tenuirostris</i>	

239. *Tringa guttifer*
CICONIIFORMES
Ciconiidae: Storks
240. *Ciconia boyciana*
5 241. *Jabiru mycteria*
242. *Mycteria cinerea*
Threskiornithidae: Ibises, spoonbills
243. *Geronticus eremita*
244. *Nipponia nippon*
10 **COLUMBIFORMES**
Columbidae: Doves, pigeons
245. *Caloenas nicobarica*
246. *Ducula mindorensis*
CORACIIFORMES
15 **Bucerotida: Hornbills**
247. *Aceros nipalensis*
248. *Buceros bicornis*
249. *Rhinoplax vigil*
250. *Rhyticeros subruficollis*
20 **FALCONIFORMES: Eagles, falcons, hawks, vultures**
Accipitridae: Hawks, eagles
251. *Aquila Adalberti*
252. *Aquila heliaca*
253. *Chondrohierax uncinatus wilsonii*
25 254. *Haliaeetus albicilla*
255. *Harpia harpyja*
256. *Pithecophaga jefferyi*
Cathartidae: New World vultures
257. *Gymnogyps californianus*
30 258. *Vultur gryphus*
Falconidae: Falcons
259. *Falco araeus*
260. *Falco jugger*
261. *Falco newtoni*
35 262. *Falco pelegrinoides*
263. *Falco peregrinus*
264. *Falco punctatus*
265. *Falco rusticolus*
GALLIFORMES
40 **Cracidae: Chachalacas, curassows, guans**
266. *Crax blumenbachii*
267. *Mitu mitu*
268. *Oreophasis derbianus*
269. *Penelope albipennis*

270.	<i>Pipile jacutinga</i>	
271.	<i>Pipile pipile</i>	
	Megapodiidae: Megapodes, scrubfowl	
272.	<i>Macrocephalon maleo</i>	
	Phasianida: Grouse, guineafowl, partridges, pheasants, tragopans	5
273.	<i>Catreus wallichii</i>	
274.	<i>Colinus virginianus ridgwayi</i>	
275.	<i>Crossoptilon crossoptilon</i>	
276.	<i>Crossoptilon mantchuricum</i>	
277.	<i>Lophophorus impejanus</i>	10
278.	<i>Lophophorus lhuysii</i>	
279.	<i>Lophophorus sclateri</i>	
280.	<i>Lophura edwardsi</i>	
281.	<i>Lophura imperialis</i>	
282.	<i>Lophura swinhoii</i>	15
283.	<i>Polyplectron napoleonis</i>	
284.	<i>Rheinardia ocellata</i>	
285.	<i>Syrmaticus ellioti</i>	
286.	<i>Syrmaticus humiae</i>	
287.	<i>Syrmaticus mikado</i>	20
288.	<i>Tetraogallus caspius</i>	
289.	<i>Tetraogallus tibetanus</i>	
290.	<i>Tragopan blythii</i>	
291.	<i>Tragopan caboti</i>	
292.	<i>Tragopan melanocephalus</i>	25
293.	<i>Tympanuchus cupido attwateri</i>	
	GRUIFORMES	
	Gruidae: Cranes	
294.	<i>Grus americana</i>	
295.	<i>Grus canadensis nesiotes</i>	30
296.	<i>Grus canadensis pulla</i>	
297.	<i>Grus japonensis</i>	
298.	<i>Grus leucogeranus</i>	
299.	<i>Grus monacha</i>	
300.	<i>Grus nigricollis</i>	35
301.	<i>Grus vipio</i>	
	Otididae: Bustards	
302.	<i>Ardeotis nigriceps</i>	
303.	<i>Chlamydotis macqueenii</i>	
304.	<i>Chlamydotis undulata</i>	40
305.	<i>Houbaropsis bengalensis</i>	

- Rallidae: Rail**
306. *Gallirallus sylvestris*
- Rhynochetidae: Kagu**
307. *Rhynochetos jubatus*
- 5 **PASSERIFORMES**
- Atrichornithidae: Scrub-bird**
308. *Atrichornis clamosus*
- Cotingidae: Cotingas**
309. *Cotinga maculata*
- 10 310. *Xipholena atropurpurea*
- Fringillidae: Finches**
311. *Carduelis cucullata*
- Hirundinidae: Martin**
312. *Pseudochelidon sirintarae*
- 15 **Icteridae: Blackbird**
313. *Xanthopsar flavus*
- Meliphagidae: Honeyeater**
314. *Lichenostomus melanops cassidix*
- Muscicapidae: Old World flycatchers**
- 20 315. *Dasyornis broadbenti litoralis*
(possibly extinct)
316. *Dasyornis longirostris*
317. *Picathartes gymnocephalus*
318. *Picathartes areas*
- 25 **Pittidae: Pittas**
319. *Pitta gurneyi*
320. *Pitta kochi*
- Strunidae: Mynahs (Starlings)**
321. *Leucopsar rothschildi*
- 30 **Zosteropidae: White-eye**
322. *Zosterops albogularis*
- PELECANIFORMES**
- Fregatidae: Frigatebird**
323. *Fregata andreswsi*
- 35 **Pelecanidae: Pelican**
324. *Pelecanus crispus*
- Sulidae: Booby**
325. *Papasula abbotti*
- PICIFORMES**
- Picidae: Woodpeckers**
- 40 326. *Campephilus imperialis*
327. *Dryocopus javensis richardsi*
- PODICIPEDIFORMES**
- Podicipedida: Grebe**
- 45 328. *Podilymbus gigas*

PROCELLARIIFORMES	
Diomedidae: Albatross	
329. Phoebastria albatrus	
PSITTACIFORMES	
Cacatuidae: Cockatoos	
330. Cacatua goffiniana	5
331. Cacatua haematuropygia	
332. Cacatua moluccensis	
333. Cacatua sulphurea	
334. Probosciger aterrimus	10
Lorridae: Lories, lorikeets	
335. Eos histrio	
336. Vini ultramarina	
Psittacidae: Amazons, macaws, parakeets, parrots	
337. Amazona arausiaca	15
338. Amazona auropalliata	
339. Amazona barbadensis	
340. Amazona brasiliensis	
341. Amazona finschi	
342. Amazona guildingii	20
343. Amazona imperialis	
344. Amazona leucocephala	
345. Amazona oratrix	
346. Amazona pretrei	
347. Amazona rhodocorytha	25
348. Amazona tucumana	
349. Amazona versicolor	
350. Amazona vinacea	
351. Amazona viridigenalis	
352. Amazona vittata	30
353. Anodorhynchus spp.	
354. Ara ambiguus	
355. Ara glaucogularis	
356. Ara macao	
357. Ara militaris	35
358. Ara rubrogenys	
359. Cyanopsitta spixii	
360. Cyanoramphus cookii	
361. Cyanoramphus forbesi	
362. Cyanoramphus novaezelandiae	40
363. Cyanoramphus saisseti	
364. Cyclopsitta diophthalma coxeni	

365. *Eunymphicus cornutus*
 366. *Guarouba guarouba*
 367. *Neophema chrysogaster*
 368. *Ognorhynchus icterotis*
 5 369. *Pezoporus occidentalis*
 (possibly extinct)
 370. *Pezoporus wallicus*
 371. *Pionopsitta pileata*
 372. *Primolius couloni*
 10 373. *Primolius maracana*
 374. *Psephotus chrysopterygius*
 375. *Psephotus dissimilis*
 376. *Psephotus pulcherrimus*
 (possibly extinct)
 15 377. *Psittacula echo*
 378. *Pyrrhura cruentata*
 379. *Rhynchopsitta* spp.
 380. *Strigops habroptilus*
RHEIFORMES
 20 **Rheidae: Rheas**
 381. *Pterocnemia pennata* (Except *Pterocnemia pennata pennata* which is included in
 Appendix II)
SPHENISCIFORMES
Spheniscidae: Penguins
 25 382. *Spheniscus humboldti*
STRIGIFORMES: Owls
 383. *Heteroglaux blewitti*
 384. *Mimizuku gurneyi*
 385. *Ninox natalis*
 30 386. *Ninox novaeseelandiae undulata*
Tytonidae: Barn owls
 387. *Tyto soumagnei*
STRUTHIONIFORMES
Struthionidae: Ostrich
 35 388. *Struthio camelus*
TINAMIFORMES
Tinamidae: Tinamous
 389. *Tinamus solitarius*
TROGONIFORMES
 40 **Trogonidae: Quetzals**
 390. *Pharomachrus mocinno*

**CLASS REPTILIA
(REPTILES)**

CROCODYLIA: Alligators, caimans, crocodiles

- | | |
|--|----|
| 391. <i>CROCODYLIA</i> spp. (Except the species included in Appendix I) | 5 |
| Alligatoridae: Alligators, caimans | |
| 392. Alligator sinensis | |
| 393. Caiman crocodilus apaporiensis | |
| 394. Caiman latirostris (Except the population of Argentina, which is included in Appendix II) | |
| 395. Melanosuchus niger | 10 |
| Crocodylidae: Crocodiles | |
| 396. Crocodylus acutus | |
| 397. Crocodylus cataphractus | |
| 398. Crocodylus intermedius | |
| 399. Crocodylus mindorensis | 15 |
| 400. Crocodylus moreletii | |
| 401. Crocodylus niloticus niloticus | |
| 402. Crocodylus palustris | |
| 403. Crocodylus porosus | |
| 404. Crocodylus rhombifer | 20 |
| 405. Crocodylus siamensis | |
| 406. Osteolaemus tetraspis | |
| 407. Tomistoma schlegelii | |
| 408. Gavialidae: Gavial | |
| Gavialis gangeticus | 25 |
| RHYNCHOCEPHALIA | |
| Sphenodontidae: Tuatara | |
| 409. Sphenodon spp. | |
| SAURIA | |
| Chamaeleonidae: Chameleons | |
| 410. Brookesia perarmata | 30 |
| Helodermatidae: Beaded lizard, gila monster | |
| 411. Heloderma horridum charlesbogerti | |
| Iguanidae: Iguanas | |
| 412. Brachylophus spp. | 35 |
| 413. Cyclura spp. | |
| 414. Sauromalus varius | |
| Lacertidae: Lizards | |
| 415. Gallotia simonyi | |
| Varanidae: Monitor lizards | |
| 416. Varanus bengalensis | 40 |
| 417. Varanus flavescens | |
| 418. Varanus griseus | |

419. *Varanus komodoensis*
 420. *Varanus nebulosus*
SERPENTES : Snakes
Boidae : Boas
- 5 421. *Acrantophis* spp.
 422. *Boa constrictor occidentalis*
 423. *Epicrates inornatus*
 424. *Epicrates monensis*
 425. *Epicrates subflavus*
- 10 426. *Sanzinia madagascariensis*
Bolyeriidae : Round Island boas
 427. *Bolyeria multocarinata*
 428. *Casarea dussumieri*
Loxocemidae : Mexican dwarf boa
- 15 429. *Python molurus molurus*
Tropidophiidae : Wood boas
 430. *Vipera ursinii*
TESTUDINES
Chelidae : Austro-American side-necked turtles
- 20 431. *Pseudemydura umbrina*
Cheloniidae : Marine turtles
 432. *Cheloniidae* spp.
Emydidae : Box turtles, freshwater turtles
 433. *Glyptemys muhlenbergii*
- 25 434. *Terrapene Coahuila*
Geoemydidae : Box turtles, freshwater turtles
 435. *Batagur affinis*
 436. *Batagur baska*
 437. *Geoclemys hamiltonii*
- 30 438. *Melanochelys tricarinata*
 439. *Morenia ocellata*
 440. *Pangshura tecta*
Testudinidae : Tortoises
 441. *Astrochelys radiata*
- 35 442. *Astrochelys yniphora*
 443. *Chelonoidis nigra*
 444. *Gopherus flavomarginatus*
 445. *Psammobates geometricus*
 446. *Pyxis arachnoides*
- 40 447. *Pyxis planicauda*
 448. *Testudo kleinmanni*
Trionychidae : Softshell turtles, terrapins
 449. *Apalone spinifera atra*

450. *Aspideretes gangeticus*
 451. *Aspideretes hurum*
 452. *Aspideretes nigricans*

**CLASS AMPHIBIA
 (AMPHIBIANS)**

5

ANURA

Bufonidae : Toads

453. *Altiphrynoides* spp.
 454. *Atelopus zeteki*
 455. *Bugo periglenes*
 456. *Bufo superciliaris*
 457. *Nectophrynoides* spp.
 458. *Nimbaphrynoides* spp.
 459. *Spinophrynoides* spp.

10

Microhylidae : Red rain frog, tomato frog

15

460. *Dyscophus antongilii*

Cryptobranchidae : Giant salamanders

461. *Andrains* spp.

Salamandridae : Newts and salamanders

462. *Neurergus kaiseri*

20

**CLASS ELASMOBRANCHII
 (SHARKS)**

RAJIFORMES

Pristidae : Sawfishes

463. *Pristidae* spp. (Except the species included in Appendix II)

25

ACIPENSERIFORMES : Paddlefishes, sturgeons

Acipenseridae : Sturgeons

464. *Acipenser brevirostrum*
 465. *Acipenser sturio*

CYPRINIFORMES

30

Catostomidae : Cui-ui

466. *Chasmistes cujus*

Cyprinidae : Blind carps, plaesok

467. *Probarbus jullieni*

OSTEOGLOSSIFORMES

35

Osteoglossidae : Arapaima, bonytongue

468. *Scleropages formosus*

PERCIFORMES

Sciaenidae : Totoaba

469. *Totoaba macdonaldi*

40

SILURIFORMES

Pangasiidae : Pangasid catfish

470. *Pangasianodon gigas*

**CLASS SARCOPTERYGII
(LUNGFISHES)**

COELACANTHIFORMES

Latimeriidae : Coelacanth

- 5 471. *Latimeria* spp

PHYLUM ARTHROPODA

LEPIDOPTERA

Papilionidae : Birdwing butterflies, swallowtail butterflies

472. *Ornithoptera alexandrae*
10 473. *Papilio chikae*
474. *Papilio homerus*
475. *Papilio hospiton*

PHYLUM MOLLUSCA

CLASS BIVALVIA

- 15 **(CLAMS AND MUSSELS)**

UNIONOIDA

Unionidae : Freshwater mussels, pearly mussels

476. *Conradilla caelata*
477. *Dromus dromas*
20 478. *Epioblasma curtisi*
479. *Epioblasma florentina*
480. *Epioblasma sampsonii*
481. *Epioblasma sulcata perobliqua*
482. *Epioblasma torulosa gubernaculum*
25 483. *Epioblasma torulosa torulosa*
484. *Epioblasma turgidula*
485. *Epioblasma walkeri*
486. *Fusconaia cuneolus*
487. *Fusconaia edgariana*
30 488. *Lampsilis higginsii*
489. *Lampsilis orbiculata orbiculata*
490. *Lampsilis satur*
491. *Lampsilis virescens*
492. *Plethobasus cicatricosus*
35 493. *Plethobasus cooperianus*
494. *Pleurobema plenum*
495. *Potamilus capax*
496. *Quadrula intermedia*
497. *Quadrula sparsa*
40 498. *Toxolasma cylindrella*
499. *Unio nickliniana*
500. *Unio tampicoensis tecomatensis*
501. *Villosa trabalis*

STYLOMMATOPHORA**Achatinellidae: Agate snails, oahu tree snails**502. *Achatinella* spp**FLORA (PLANTS)****AGAVACEAE: Agaves**

5

503. *Agave parviflora***APOCYNACEAE: Elephant trunks, hoodias**504. *Pachypodium ambongense*505. *Pachypodium baronii*506. *Pachypodium decaryi*

10

507. ARAUCARIACEAE: Monkey-puzzle tree508. *Araucaria araucana***CACTACEAE: Cacti**509. *Ariocarpus* spp.510. *Astrophytum asterias*

15

511. *Aztekium ritteri*512. *Coryphantha werdermannii*513. *Discocactus* spp.514. *Echinocereus ferreirianus* ssp. *lindsayi*515. *Echinocereus schmollii*

20

516. *Escobaria minima*517. *Escobaria sneedii*518. *Mammillaria pectinifera*519. *Mammillaria solisioides*520. *Melocactus conoideos*

25

521. *Melocactus deinacanthus*522. *Melocactus glaucescens*523. *Melocactus paucispinus*524. *Obregonia denegrii*525. *Pachycereus militaris*

30

526. *Pediocactus bradyi*527. *Pediocactus knowltonii*528. *Pediocactus paradinei*529. *Pediocactus peeblesianus*530. *Pediocactus sileri*

35

531. *Pelecypora* spp.532. *Sclerocactus brevihamatus* ssp. *tobuschii*533. *Sclerocactus erectocentrus*534. *Sclerocactus glaucus*535. *Sclerocactus mariposensis*

40

536. *Sclerocactus mesae-verdae*537. *Sclerocactus nyensis*

538. *Sclerocactus papyracanthus*
 539. *Sclerocactus pubispinus*
 540. *Sclerocactus wrightiae*
 541. *Strombocactus* spp.
 5 542. *Turbinicarpus* spp.
 543. *Uebelmannia* spp.
COMPOSITE: (Asteraceae) Kuth
 544. *Saussurea costus*
CUPRESSACEAE: Alerce, cypresses
 10 545. *Fitzroya cupressoides*
 546. *Pilgerodendron uviferum*
CYCADACEAE: Cycads
 547. *Cycas beddomei*
EUPHORBIACEAE: Spurges
 15 548. *Euphorbia ambovombensis*
 549. *Euphorbia capsaintemariensis*
 550. *Euphorbia cremersil* (Includes the forma *viridifolia* and the var. *rakotozafyi*)
 551. *Euphorbia cylindrifolia* (Includes the ssp. *tuberifera*)
 552. *Euphorbia decaryi* (Includes the vars. *ampanihyensis*, *robinsonii* and *spirosticha*)
 20 553. *Euphorbia francoisii*
 554. *Euphorbia moratti* (Includes the vars. *antsigiensis*, *bemarahensis* and *multiflora*)
 555. *Euphorbia parvicyathophora*
 556. *Euphorbia quartzitcola*
 557. *Euphorbia tulearensis*
 25 **FOUQUIERIACEAE: Ocotillos**
 558. *Fouquieria fasciculata*
 559. *Fouquieria purpusii*
LEGUMINOSAE (Fabaceae): Afrormosia, cristobal, rosewood, sandalwood
 560. *Dalbergia nigra*
 30 **LILIACEAE: Aloes**
 561. *Aloe albida*
 562. *Aloe albiflora*
 563. *Aloe alfredii*
 564. *Aloe bakeri*
 35 565. *Aloe bellatuala*
 566. *Aloe calcairphila*
 567. *Aloe compressa* (Includes the vars. *paucituberculata*, *rugosquamosa* and *schistophila*)
 568. *Aloe delphinensis*
 40 569. *Aloe descoingsii*
 570. *Aloe fragilis*
 571. *Aloe haworthioides* (Includes the var. *aurantiaca*)

572. <i>Aloe helenae</i>	
573. <i>Aloe laeta</i> (Includes the var. <i>maniaensis</i>)	
574. <i>Aloe parallelifolia</i>	
575. <i>Aloe parvula</i>	
576. <i>Aloe pillansii</i>	5
577. <i>Aloe polyphylla</i>	
578. <i>Aloe rauhii</i>	
579. <i>Aloe suzannae</i>	
580. <i>Aloe versicolor</i>	
581. <i>Aloe vossii</i>	10
NEPENTHACEAE: Pitcher-plants (Old World)	
582. <i>Nepenthes khasiana</i>	
583. <i>Nepenthes rajah</i>	
ORCHIDACEAE: Orchids	
584. <i>Aerangis ellisii</i>	15
585. <i>Dendrobium cruentum</i>	
586. <i>Laelia jongheana</i>	
587. <i>Laelia lobata</i>	
588. <i>Paphipedilum</i> spp.	
589. <i>Peristeria elata</i>	20
590. <i>Phargmipedium</i> spp.	
591. <i>Renanthera imschootiana</i>	
PALMAE (Arecaceae): Palms	
592. <i>Chrysalidocarpus decipiens</i>	
PINACEAE: Firs and pines	
593. <i>Abies guatemalensis</i>	25
PODOCARPACEAE: Podocarps	
594. <i>Podocarpus parlatorei</i>	
RUBIACEAE: Ayugue	
595. <i>Balmea Stormiae</i>	30
SARRACENIACEAE: Pitcher-plants (New World)	
596. <i>Sarracenia oreophila</i>	
597. <i>Sarracenia rubra</i>	
598. ssp. <i>alabamensis</i>	
599. <i>Sarracenia rubra</i> ssp. <i>jonesii</i>	35
STANGERIACEAE: Stangerias	
600. <i>Stangeria eriopus</i>	
ZAMIACEAE: Cycads	
601. <i>Ceratozamia</i> spp.	
602. <i>Chigua</i> spp.	40
603. <i>Encephalartos</i> spp.	
604. <i>Microcycas Calacoma</i>	

APPENDIX—II

FAUNA (ANIMALS)
PHYLUM CHORDATA
CLASS MAMMALIA
(MAMMALS)

5

ARTIODACTYLA

Bovidae: Antelopes, cattle, duikers, gazellers, goats, sheep, etc.

1. Ammotragus lervia
2. Bison bison athabascae
- 10 3. Budorcas taxicolor
4. Cephalophus brookei
5. Cephalophus dorsalis
6. Cephalophus ogilbyi
7. Cephalophus silvicultor
- 15 8. Cephalophus zebra
9. Damaliscus pygargus pygargus
10. Kobus leche
11. Ovis ammon (Except the subspecies included in Appendix I)
12. Ovis canadensis
- 20 13. Ovis vignei (Except the subspecies included in Appendix I)
14. Philantomba monticola
15. Saiga borealis
16. Saiga tatarica

Camelidae: Guanaco, vicuna

- 25 17. Lama guanicoe
18. Vicugna vicugna

Cervidae Deer: guemals, muntjacs, pudus

19. Cervus elaphus bactrianus
20. Pudu mephistophile

30 **Hippopotamidae: Hippopotamuses**

21. Hexaprotodon liberiensis
22. Hippopotamus amphibious

Moschidae: Musk deer

23. Moschus spp. (Except which are included in Appendix I)

35 **Tayassuidae: Peccaries**

24. Tayassuidae spp. (Except the species included in Appendix I)

CARNIVORA

Canidae: Bush dog, foxes, wolves

25. Canis lupus (Except which are included in Appendix I.)
- 40 26. Cerdocyon thous
27. Chrysocyon brachyurus

28. <i>Cuon alpinus</i>	
29. <i>Lycalopex fulvipes</i>	
30. <i>Lycalopex fulvipes</i>	
31. <i>Lycalopex griseus</i>	
32. <i>Lycalopex gymnocercus</i>	5
33. <i>Vulpes cana</i>	
34. <i>Vulpes zerda</i>	
Eupleridae: Fossa, Falanouc, Malagasy civet	
35. <i>Cryptoprocta ferox</i>	
36. <i>Eupleres goudotii</i>	10
37. <i>Fossa Fossana</i>	
Felidae: Cats	
38. Felidae spp. (Except the species included in Appendix I.)	
Mephitidae: Hog-nosed skunk	
39. <i>Conepatus humboldtii</i>	15
Lutrinae: Otters	
40. Lutrinae spp. (Except the species included in Appendix I)	
Otariidae: Fur seals, sealions	
41. <i>Arctocephalus</i> spp. (Except the species included in Appendix I)	
Phocidae: Seals	
42. <i>Mirounga leonine</i>	20
Ursidae: Bears, giant panda	
43. Ursidae spp. (Except the species included in Appendix I)	
Viverridae: Binturong, civets, linsangs, otter-civet, palm civets	
44. <i>Cynogale bennettii</i>	25
45. <i>Hemigalus derbyanus</i>	
46. <i>Prionodon linsang</i>	
CETACEA: Dolphins, porpoises, whales	
47. Cetacea spp. (Except the species included in Appendix I.)	
Pteropodidae: Fruit bats, flying foxes	
48. <i>Acerodon</i> spp. (Except the species included in Appendix I)	30
49. <i>Pteropus</i> spp. (Except the species included in Appendix I)	
CINGULATA	
Dasypodidae: Armadillos	
50. <i>Chaetophractus nationi</i>	35
DIPROTODONTIA	
Macropodidae: Kangaroos, wallabies	
51. <i>Dendrolagus inustus</i>	
52. <i>Dendrolagus ursinus</i>	
Phalangeridae: Cuscuses	
53. <i>Phalanger intercastellanus</i>	40
54. <i>Phalanger mimicus</i>	

55. *Phalanger orientalis*
 56. *Spilocuscus kraemeri*
 57. *Spilocuscus maculatus*
 58. *Spilocuscus papuensis*
- 5 **MONOTREMATA**
 Tachyglossidae: Echidnas, spiny anteaters
 59. *Zaglossus* spp.
- PERISSODACTYLA**
 Equidae: Horses, wild asses, zebras
- 10 60. *Equus hemionus* (Except the subsepecies included in Appendix I)
 61. *Equus kiang*
 62. *Equus zebra hartmannae*
- Rhinocerotidae: Rhinoceroses**
63. *Ceratotherium simum simum*
- 15 **Tapiridae: Tapirs**
 64. *Tapirus terrestris*
- PHOLIDOTA**
 Manidae: Pangolins
65. *Manis* spp.
- 20 **PILOSA**
 Bradypodidae: Three-toed sloth
 66. *Bradypus variegates*
- Myrmecophagidae: American anteaters**
 67. *Myrmecophaga tridactyla*
- 25 **PRIMATES: Apes, monkeys**
 68. Primate spp. (Except the species included in Appendix I)
- PROBOSCIDEA**
 Elephantidae: Elephants
69. *Loxodonta africana*
- 30 **RODENTIA**
 Sciuridae: Ground squirrels, tree squirrels
 70. *Ratufa* spp.
- SCANDENTIA: Tree shrews**
 71. *Scandentia* spp.
- 35 **SIRENIA**
 Trichechidae: Manatees
 72. *Trichechus senegalensis*
- CLASS AVES**
 (BIRDS)
- 40 **ANSERIFORMES**
 Anatidae: Ducks, geese, swans, etc.
 73. *Anas bernieri*
 74. *Anas Formosa*

75. <i>Branta ruficollis</i>	
76. <i>Coscoroba coscoroba</i>	
77. <i>Cygnus melancoryphus</i>	
78. <i>Dendrocygna arborea</i>	
79. <i>Oxyura leucocephala</i>	5
80. <i>Sarkidiornis melanotos</i>	
APODIFORMES	
Trochilidae: Hummingbirds	
81. Trochilidae spp. (Except the species included in Appendix I)	10
CICONIFORMES	
Balaenicipitidae: Shoebill, whale-headed stork	
82. <i>Balaeniceps rex</i>	
Ciconiidae: Storks	
83. <i>Ciconia nigra</i>	
Phoenicopteridae: Flamingos	
84. Phoenicopteridae spp.	15
Threskiornithidae: Ibises, spoonbills	
85. <i>Eudocimus ruber</i>	
86. <i>Geronticus calvus</i>	
87. <i>Platalea leucorodia</i>	20
COLUMBIFORMES	
Columbidae: Doves, pigeons	
88. <i>Gallicolumba luzonica</i>	
89. <i>Goura</i> spp.	
CORACIIFORMES	
Bucerotidae: Hornbills	
90. <i>Aceros</i> spp. (Except the species included in Appendix I)	
91. <i>Anorrhinus</i> spp.	
92. <i>Anthracoceros</i> spp.	
93. <i>Berenicornis</i> spp.	30
94. <i>Buceros</i> spp. (Except the species included in Appendix I)	
95. <i>Penelopides</i> spp.	
96. <i>Rhyticeros</i> spp. (Except the species included in Appendix I)	
CUCULIFORMES	
Musophagidae: Turacos	
97. <i>Tauraco</i> spp.	35
FALCONIFORMES Eagles, falcons, hawks, vultures	
98. Falconiformes spp. (Except the species included in Appendices I and III and the species of the family Cathartidae)	
GALLIFORMES	
Phasianidae: Grouse, guineafowl, partridges, pheasants, tragopans	
99. <i>Argusianus argus</i>	
100. <i>Gallus sonneratii</i>	40

101. *Ithaginis cruentus*
 102. *Pavo muticus*
 103. *Polyplectron bicalcaratum*
 104. *Polyplectron germaini*
 5 105. *Polyplectron malacense*
 106. *Polyplectron schleiermacheri*
GRUIFORMES
Gruidae: Cranes
 107. Gruidae spp. (Except the species included in Appendix I)
 10 **Otididae: Bustards**
 108. Otididae spp.
Cotingidae: Cotingas
 109. *Rupicola* spp.
Emberizidae: Cardinals, tanagers
 15 110. *Gubernatrix cristata*
 111. *Paroaria capitata*
 112. *Paroaria coronata*
 113. *Tangara fastuosa*
Estrildidae: Mannikins, waxbills
 20 114. *Amandava formosa*
 115. *Lonchura oryzivora*
 116. *Poephila cincta cincta*
Fringillidae: Finches
 117. *Carduelis yarrellii*
 25 **Muscicapidae: Old World flycatchers**
 118. *Cyornis ruckii*
 119. *Garrulax canorus*
 120. *Garrulax taewanus*
 121. *Leiothrix argenteauris*
 30 122. *Leiothrix lutea*
 123. *Liocichla omeiensis*
Paradisaeidae: Birds of paradise
 124. Paradisaeidae spp.
Pittidae: Pittas
 35 125. *Pitta guajana*
 126. *Pitta nympha*
Pycnonotidae: Bulbul
 127. *Pycnonotus zeylanicus*
Sturnidae: (Mynahs (Starlings))
 40 128. *Gracula religiosa*
Ramphastidae: Toucans
 129. *Pteroglossus aracari*

130. Pteroglossus viridis	
131. Ramphastos sulfuratus	
132. Ramphastos toco	
133. Ramphastos tucanus	
134. Ramphastos vitellinus	5
PSITTACHIFORMES	
135. Psittaciformes spp. (Except the species included in Appendix I and Agapornis roseicollis, Melopsittacus undulatus, Nymphicus hollandicus and Psittacula krameri, which are not included in the Appendices)	
RHEIFORMES	
Rheidae: Rheas	
136. Pterocnemia pennata pennata	
137. Rhea Americana	
SPHENISCIFORMES	
Spheniscidae: Penguins	
138. Spheniscus demersus	15
STRIGIFORMES Owls	
139. Strigiformes spp. (Except the species included in Appendix I)	
CLASS REPTILIA	
(REPTILES)	
CROCODYLIA Alligators, caimans, crocodiles	
140. Crocodilia spp. (Except the species included in Appendix I)	
SAURIA	
Agamidae: Agamas, mastigures	
141. Uromastyx spp.	25
Chamaeleonidae: Chameleons	
142. Bradypodion spp.	
143. Brookesia spp. (Except the species included in Appendix I)	
144. Calumma spp.	
145. Chamaeleo spp.	30
146. Furcifer spp.	
Cordylidae: Spiny-tailed lizards	
147. Cordylus spp.	
Gekkonidae: Geckos	
148. Cyrtodactylus serpensinsula	35
149. Phelsuma spp.	
150. Uroplatus spp.	
Helodermatidae: Beaded lizard, gila monster	
151. Heloderma spp. (Except the subspecies included in Appendix I)	
Iguanidae: Iguanas	
152. Amblyrhynchus cristatus	40
153. Conolophus spp.	
154. Ctenosaura bakeri	

155. *Ctenosaura oedirhina*
 156. *Ctenosaura melanosterna*
 157. *Ctenosaura palearis*
 158. *Iguana* spp.
 5 159. *Phrynosoma blainvillii*
 160. *Phrynosoma cerroense*
 161. *Phrynosoma coronatum*
 162. *Phrynosoma wigginsi*
Lacertidae: Lizards
 10 163. *Podarcis lilfordi*
 164. *Podarcis pityusensis*
Scincidae Skinks
 165. *Corucia zebrata*
Teiidae: Caiman lizards, tegu lizards
 15 166. *Crocodylurus amazonicus*
 167. *Dracaena* spp.
 168. *Tupinambis* spp.
Varanidae: Monitor lizards
 169. *Varanus* spp. (Except the species included in Appendix I)
 20 **Xenosauridae: Chinese crocodile lizard**
 170. *Shinisaurus crocodilurus*
SERPENTES: Snakes
Boidae: Boas
 171. *Boidae* spp. (Except the species included in Appendix I)
 25 **Bolyeriidae: Round Island boas**
 172. *Bolyeriidae* spp. (Except the species included in Appendix I)
Colubridae: Typical snakes, water snakes, whipsnakes
 173. *Clelia clelia*
 174. *Cyclagras gigas*
 30 175. *Elachistodon westermanni*
 176. *Ptyas mucosus*
Elapidae: Cobras, coral snakes
 177. *Hoplocephalus bungaroides*
 178. *Naja atra*
 35 179. *Naja Kaouthia*
 180. *Naja mandalayensis*
 181. *Naja naja*
 182. *Naja oxiana*
 183. *Naja philippinensis*
 40 184. *Naja sagittifera*
 185. *Naja samarensis*
 186. *Naja siamensis*

187.	<i>Naja sputatrix</i>	
188.	<i>Naja sumatrana</i>	
189.	<i>Ophiophagus hannah</i>	
	Loxocemidae: Mexican dwarf boa	
190.	Loxocemidae spp.	5
	Pythonidae: Pythons	
191.	Pythonidae spp. (Except the species included in Appendix I)	
	Tropidophiidae: Wood boas	
192.	Tropidophiidae spp.	
	Viperidae: Vipers	10
193.	<i>Vipera wagneri</i>	
	TESTUDINES	
	Carettochelyidae: Pig-nosed turtles	
194.	<i>Carettochelys insculpta</i>	
	Chelidae: Austro-American side-necked turtles	15
195.	<i>Chelodina maccordi</i>	
	Dermatemydidae: Central American river turtle	
196.	<i>Dermatemys mawii</i>	
	Emydidae: Box turtles, freshwater turtles	
197.	<i>Glyptemys insculpta</i>	20
198.	<i>Terrapene</i> spp. (Except the species included in Appendix I)	
	Geoemydidae: Box turtles, freshwater turtles	
199.	<i>Batagur</i> spp. (Except the species included in Appendix I)	
200.	<i>Cuora</i> spp.	
201.	<i>Heosemys annandalii</i>	25
202.	<i>Heosemys depressa</i>	
203.	<i>Heosemys grandis</i>	
204.	<i>Heosemys spinosa</i>	
205.	<i>Leucocephalon yuwonoi</i>	
206.	<i>Malayemys macrocephala</i>	30
207.	<i>Malayemys subtrijuga</i>	
208.	<i>Mauremys annamensis</i>	
209.	<i>Mauremys mutica</i>	
210.	<i>Notochelys platynota</i>	
211.	<i>Orlitia borneensis</i>	35
212.	<i>Pangshura</i> spp. (Except the species included in Appendix I)	
213.	<i>Siebenrockiella crassicollis</i>	
214.	<i>Siebenrockiella leytensis</i>	
	Platysternidae: Big-headed turtle	
215.	<i>Platysternon megacephalum</i>	40
	Podocnemididae: Afro-American side-necked turtles	
216.	<i>Erymnochelys madagascariensis</i>	

217. *Peltocephalus dumerilianus*
 218. *Podocnemis* spp.
Testudinidae: Tortoises
 219. Testudinidae spp. (Except the species included in Appendix I)
 5 **Trionychidae: Softshell turtles, terrapins**
 220. *Amyda cartilaginea*
 221. *Chitra* spp.
 222. *Lissemys punctata*
 223. *Lissemys scutata*
 10 224. *Pelochelys* spp.

**CLASS AMPHIBIA
(AMPHIBIANS)**

ANURA

- Dendrobatidae: Poison frogs**
 15 225. *Allobates femoralis*
 226. *Allobates zaparo*
 227. *Cryptophyllobates azureiventris*
 228. *Dendrobates* spp.
 229. *Epipedobates* spp.
 20 230. *Phyllobates* spp.
Hylidae: Tree frogs
 231. *Agalychnis* spp.
 232. Mantellidae Mantellas
 233. *Mantella* spp.
 25 **Microhylidae: Red rain frog, tomato frog**
 234. *Scaphiophryne gottlebei*
Ranidae: Frogs
 235. *Euphlyctis hexadactylus*
 236. *Hoplobatrachus tigerinus*
 30 **Rheobatrachidae: Gastric-brooding frogs**
 237. *Rheobatrachus* spp.

CAUDATA

- Ambystomatidae: Axolotls**
 238. *Ambystoma dumerilii*
 35 239. *Ambystoma mexicanum*

**CLASS ELASMOBRANCHII
(SHARKS)**

LAMNIFORMS

- Cetorhinidae: Basking shark**
 40 240. *Cetorhinus maximus*
Lamnidae: Great white shark
 241. *Carcharodon carcharias*

	ORECTOLOBIFORMES	
	Rhincodontidae: Whale shark	
242.	Rhincodon typus	
	RAJIFORMES	
	Pristidae: Sawfishes	5
243.	Pristis microdon	
	CLASS ACTINOPTERYGII	
	(FISHES)	
	ACIPENSERIFORMES Paddlefishes, sturgeons	
244.	Acipenseriformes spp. (Except the species included in Appendix I)	10
	ANGUILLIFORMES	
	Anguillidae: Freshwater eels	
245.	Anguilla anguilla	
	Cyprinidae: Blind carps, plaeesok	
246.	Caecobarbus geertsi	15
	OSTEOGLOSSIFORMES	
	Osteoglossidae: Arapaima, bonytongue	
247.	Arapaima gigas	
	PERCIFORMES	
	Labridae: Wrasses	20
248.	Cheilinus undulates	
	CLASS SARCOPTERYGII	
	(LUNGFISHES)	
	CERATODONTIFORMES	
	Ceratodontidae: Australian lungfish	25
249.	Neoceratodus forsteri	
	PHYLUM ARTHROPODA	
	CLASS ARACHNIDA	
	(SCORPIONS AND SPIDERS)	
	ARANEAE	30
	Theraphosidae: Red-kneed tarantulas, tarantulas	
250.	Aphonopelma albiceps	
251.	Aphonopelma pallidum	
252.	Brachypelma spp.	
	SCORPIONES	35
	Scorpionidae: Scorpions	
253.	Pandinus dictator	
254.	Pandinus gambiensis	
255.	Pandinus imperator	
	CLASS INSECTA	40
	(INSECTS)	
	COLEOPTERA	
	Scarabaeidae: Scarab beetles	
256.	Dynastes satanas	

Papilionidae: Birdwing butterflies, swallowtail butterflies

257. *Atrophaneura jophon*
 258. *Atrophaneura pandiyana*
 259. *Bhutanitis* spp.
 5 260. *Ornithoptera* spp. (Except the species included in Appendix I)
 261. *Parnassius apollo*
 262. *Teinopalpus* spp.
 263. *Trogonoptera* spp.
 264. *Troides* spp.

10

PHYLUM ANNELIDA
CLASS HIRUDINOIDEA
(LEECHES)

ARHYNCHOBDELLIDA**Hirudinida: Medicinal leeches**

- 15 265. *Hirudo medicinalis*
 266. *Hirudo verbena*

PHYLUM MOLLUSCA
CLASS BIVALVIA
(CLAMS AND MUELLES)

20

MYTILOIDA**Mytilidae: Marine mussels**

267. *Lithophaga lithophaga*

UNIONOIDA**Unionidae: Freshwater mussels, pearly mussels**

- 25 268. *Cyprogenia aberti*
 269. *Epioblasma torulosa rangina*
 270. *Pleurobema clava*

VENEROIDA**Tridacnidae: Giant clams**

- 30 271. *Tridacnidae* spp.

CLASS GASTROPODA
(SNAILS AND CONCHES)

MESOGASTROPODA**Strombidae: Queen conch**

- 35 272. *Strombus gigas*

STYLOMMATOPHORA**Camaenidae: Green tree snail**

273. *Papustyla pulcherrima*

40

PHYLUM CNIDARIA
CLASS ANTHOZOA
(CORALS AND SEA ANEMONES)

ANTIPATHARIA: Black corals

274. *Antipatharia* spp.

HELIOPORACEA	
Helioporidae: Black corals	
275. Helioporidae spp. (Includes only species <i>Heliopora coerulea</i> . Fossils are not subject to the provisions of the Convention)	
SCLERACTINIA: Stony corals	
276. Scleractinia spp. (Fossils are not subject to the provisions of the Convention)	5
STOLONIFERA	
Tubiporidae: Organ-Pipe corals	
277. Tubiporidae spp. (Fossils are not subject to the provisions of the Convention)	
CLASS HYDROZOA	
(SEA FERNS, FIRE CORALS AND STINGING MEDUSAE)	
MILLEPORINA	
Milleporidae: Fire corals	
278. Milleporidae spp. (Fossils are not subject to the provisions of the Convention)	
STYLASTERINA	
Stylasteridae Lace corals	
279. Stylasteridae spp. (Fossils are not subject to the provisions of the Convention)	15
FLORA (PLANTS)	
AGAVACEAE: Agaves	
280. <i>Agave victoriae-reginae</i>	20
281. <i>Nolina interrata</i>	
AMARYLLIDACEAE: Snowdrops, sternbergias	
282. <i>Galanthus</i> spp.	
283. <i>Sternbergias</i> spp.	
ANACADIACEAE: Cashews	
284. <i>Operculicarya hyphaenoides</i>	25
285. <i>Operculicarya pachypus</i>	
APOCYNACEAE: Elephant trunks, hoodias	
286. <i>Hoodia</i> spp.	
287. <i>Pachypodium</i> spp. (Except the species included in Appendix I)	30
288. <i>Rauvolfia serpentina</i>	
ARALIACEAE: Ginseng	
289. <i>Panax ginseng</i>	
290. <i>Panax quinque folius</i>	
BERBERIDACEAE: May-apple	
291. <i>Podophyllum hexandrum</i>	35
BROMELIACEAE: Air plants, bromelias	
292. <i>Tillandsia harrisii</i>	
293. <i>Tillandsia kammii</i>	
294. <i>Tillandsia kautskyi</i>	40
295. <i>Tillandsia mauryana</i>	
296. <i>Tillandsia sprengeliana</i>	
297. <i>Tillandsia sucrei</i>	
298. <i>Tillandsia xerographica</i>	

CACTACEAE: Cacti

299. Cactaceae spp. (Except the species included in Appendix I and except Pereskia spp. Peresklopsis spp. and Quiabentia spp.)

CARYOCARACEAE: Ajo

- 5 300. Caryocar costaricense

CRASSULACEAE: Dudleyas

301. Dudleya stolonifera
302. Dudleya traskiae

CUCURBITACEAE: Melons, gourds, cucurbits

- 10 303. Zygosicyos pubescens
304. Zygosicyos tripartitus

CYATHEACEAE: Tree-ferns

305. Cyathea spp.

CYCADACEAE: Cycads

- 15 306. Cycadaceae spp. (Except the species included in Appendix I)

DICKSONIACEAE: Tree-ferns

307. Cibotium barometz
308. Dicksonia spp.

DIDIEREACEAE: Alluaudias, didiereas

- 20 309. Didiereaceae spp.

DIOSCOREACEAE: Elephant's foot, kniss

310. Dioscorea deltoidea

DROSERACEAE: Venus' flytrap

311. Dionaea muscipula

- 25 **EUPHORBIACEAE: Spurges**

312. Euphorbia spp.

FOUQUIERIACEAE: Ocotillos

313. Fouquieria columnaris

JUGLANDACEAE: Gavilan

- 30 314. Oreomunnea pterocarpa

LAURACEAE: Laurels

315. Aniba rosaeodora

LEGUMINOSAE (Fabaceae): Afrormosia, cristobal, rosewood, sandalwood

- 35 316. Caesalpinia echinata
317. Pericopsis elata
318. Platymiscium pleiostachyum
319. Pterocarpus santalinus

LILIACEAE: Aloes

- 40 320. Aloe spp.

MELIACEAE: Mahoganies, Spanish cedar

321. Swietenia humilis

322. *Swietenia macrophylla*
 323. *Swietenia mahagoni*
NEPENTHACEAE: Pitcher-plants (Old World)
 324. *Nepenthes* spp. 5
ORCHIDACEAE: Orchids
 325. *Orchidaceae* spp.
OROBANCHACEAE: Broomrape
 326. *Cistanche deserticola*
PALMAE (Arecaceae): Palms
 327. *Beccariophoenix madagascariensis* 10
 328. *Lemurophoenix halleuxii*
 329. *Marojejya darianii*
 330. *Neodypsis decaryi*
 331. *Ravenea lauveli*
 332. *Ravenea rivularis* 15
 333. *Satranala decussilvae*
 334. *Voanioala gerardii*
PASSIFLORACEAE: Passion-flowers
 335. *Adenia olaboensis*
PORTULACACEAE: Lewisias, portulacas, purslanes 20
 336. *Anacampseros* spp.
 337. *Avonia* spp.
 338. *Lewisia serrata*
PRIMULACEAE: Cyclamens
 339. *Cyclamen* spp. 25
RANUNCULACEAE: Golden seals, yellow adonis, yellow root
 340. *Adonis vernalis*
 341. *Hydrastis Canadensis*
ROSACEAE: African cherry, stinkwood
 342. *Prunus Africana* 30
RUBIACEAE: Ayugue
 343. *Sarracenia* spp. (Except the species included in Appendix I)
SCROPHULARIACEAE: Kutki
 344. *Picrorhiza kurrooa* (Excludes *Picrorhiza scrophulariiflora*)
STANGERIACEAE: Stangerias 35
 345. *Bowenia* spp.
TAXACEAE: Himalayan yew
 346. *Taxus chinensis* and infraspecific taxa of this species
 347. *Taxus cuspidata* and infraspecific taxa of this species
 348. *Taxus fuana* and infraspecific taxa of this species 40
 349. *Taxus sumatrana* and infraspecific taxa of this species
 350. *Taxus wallichiana*

THYMELAEACEAE (Aquilariaceae): Agarwood, ramin

- 351. Aquilaria spp.
- 352. Gonystylus spp.
- 353. Gyrinops spp.

5 **VALERIANACEAE: Himalayan spikenard**

- 354. Nardostachys grandiflora

VITACEAE: Grapes

- 355. Cyphostemma elephantopus
- 356. Cyphostemma montagnacii

10 **WELWITSCHIACEAE: Welwitschia**

- 357. Welwitschia mirabilis

ZAMIACEAE: Cycads

- 358. ZAMIACEAE spp. (Except the species included in Appendix I)

ZINGIBERACEAE: Ginger lily

- 15 359. Hedychium philippinense

ZYGOPHYLLACEAE: Lignum-vitae

- 360. Bulnesia sarmientoi
- 361. Guaiacum spp.

APPENDIX-III

**FAUNA (ANIMALS)
PHYLUM CHORDATA
CLASS MAMMALIA
(MAMMALS)**

5

ARTIODACTYLA

Bovidae: Antelopes, cattle, duikers, gazelles, goats, sheep, etc.

1. Antilope cervicapra
2. Bubalus arnee (Excludes the domesticated form, which is referenced as Bubalus bubalis) 10
3. Gazella dorcas
4. Tetracerus quadricornis

Cervidae: Deer, guemals, muntjacs, pudus

5. Cervus elaphus barbarus
6. Mazama temama cerasina 15
7. Odocoileus virginianus mayensis

CARNIVORA

Canidae: Bush dog, foxes, wolves

8. Canis aureus
9. Vulpes bengalensis 20
10. Vulpes vulpes griffithi
11. Vulpes vulpes montana
12. Vulpes vulpes pusilla

Herpestidae: Mongooses

13. Herpestes edwardsi 25
14. Herpestes fuscus
15. Herpestes javanicus
16. Auropunctatus
17. Herpestes smithii
18. Herpestes urva 30
19. Herpestes vitticollis

Hyaenidae: Aardwolf

20. Proteles cristata

Mustelinae: Grisons, honey badger, martens, tayra, weasels

21. Eira barbara 35
22. Galictis vittata
23. Martes flavigula
24. Martes foina intermedia
25. Martes gwatkinsii
26. Mellivora capensis 40
27. Mustela altaica
28. Mustela erminea ferghanae

29. *Mustela kathiah*
 30. *Mustela sibirica*
Odobenidae: Walrus
 31. *Odobenus rosmarus*
 5 **Procyonidae: Coatis, kinkajou, olingos**
 32. *Bassaricyon gabbii*
 33. *Bassariscus sumichrasti*
 34. *Nasua narica*
 35. *Nasua nasua solitaria*
 10 36. *Potos flavus*
Viverridae: Binturong, civets, linsangs, otter-civet, palm civets
 37. *Arctictis binturong*
 38. *Civettictis civetta*
 39. *Paguma larvata*
 15 40. *Paradoxurus hermaphroditus*
 41. *Paradoxurus jerdoni*
 42. *Viverra civettina*
 43. *Viverra zibetha*
 44. *Viverricula indica*
 20 **CHIROPTERA**
Phyllostomidae: Broad-nosed bat
 45. *Platyrrhinus lineatus*
CINGULATA
Dasypodidae: Armadillos
 25 46. *Cabassous centralis*
 47. *Cabassous tatouay*
PILOSA
Megalonychidae: Two-toed sloth
 48. *Choloepus hoffmanni*
 30 **Myrmecophagidae: American anteaters**
 49. *Tamandua mexicana*
RODENTIA
Cuniculidae: Paca
 50. *Cuniculus paca*
 35 **Dasyproctidae: Agouti**
 51. *Dasyprocta punctata*
Erethizontidae: New World porcupines
 52. *Sphiggurus mexicanus*
 53. *Sphiggurus spinosus*
 40 **Sciuridae: Ground squirrels, tree squirrels**
 54. *Marmota caudata*
 55. *Marmota himalayana*
 56. *Sciurus deppei*

**CLASSAVES
(BIRDS)**

ANSERIFORMES

Anatidae: Ducks, geese, swans, etc.

- | | | |
|-----|------------------------|---|
| 57. | Cairina moschata | 5 |
| 58. | Dendrocygna autumnalis | |
| 59. | Dendrocygna bicolor | |

CHARADRIIFORMES

Burhinidae: Thick-knee

- | | | |
|-----|---------------------|----|
| 60. | Burhinus bistriatus | 10 |
|-----|---------------------|----|

COLUMBIFORMES

Columbidae: Doves, pigeons

- | | | |
|-----|-----------------|--|
| 61. | Nesoenas mayeri | |
|-----|-----------------|--|

CUCULIFORMES

Cathartidae: New World vultures

- | | | |
|-----|-------------------|----|
| 62. | Sarcoramphus papa | 15 |
|-----|-------------------|----|

GALLIFORMES

Cracidae: Chachalacas, curassows, guans

- | | | |
|-----|-----------------------|----|
| 63. | Crax alberti | |
| 64. | Crax daubentoni | 20 |
| 65. | Crax globulosa | |
| 66. | Crax rubra | |
| 67. | Ortalis vetula | |
| 68. | Pauxi pauxi | |
| 69. | Penelope purpurascens | 25 |
| 70. | Penelopina nigra | |

Phasianidae: Grouse, guineafowl, partridges, pheasants, tragopans

- | | | |
|-----|--------------------|--|
| 71. | Meleagris ocellata | |
| 72. | Tragopan satyra | |

PASSERIFORMES

Cotingidae: Cotingas

- | | | |
|-----|--------------------------|----|
| 73. | Cephalopterus ornatus | |
| 74. | Cephalopterus penduliger | 30 |

Muscicapidae: Old World flycatchers

- | | | |
|-----|--------------------------|----|
| 75. | Acrocephalus rodericanus | 35 |
| 76. | Terpsiphone bourbonensis | |

PICIFORMES

Capitonidae: Barbet

- | | | |
|-----|------------------------------|----|
| 77. | Semnornis ramphastinus | |
| | Ramphastidae: Toucans | 40 |

- | | | |
|-----|--------------------------|--|
| 78. | Bailloni bailloni | |
| 79. | Pteroglossus castanotis | |
| 80. | Ramphastos dicolorus | |
| 81. | Selenidera maculirostris | |

**CLASS REPTILIA
(REPTILES)**

SAURIA

Gekkonidae: Geckos

- 5 82. *Hoplodactylus* spp.
83. *Naultinus* spp.

SERPENTES: Snakes

Colubridae Typical snakes, water snakes, whip snakes

84. *Atretium schistosum*
10 85. *Cerberus rynchops*
86. *Xenochrophis piscator*

Elapidae: Cobras, coral snakes

87. *Micrurus diastema*
88. *Micrurus nigrocinctus*

15 **Viperidae: Vipers**

89. *Crotalus durissus*
90. *Daboia russelii*

TESTUDINES

Chelydridae: Snapping turtles

- 20 91. *Macrochelys temminckii*

Emydidae: Box turtles, freshwater turtles

92. *Graptemys* spp.

Geoemydidae: Box turtles, freshwater turtles

93. *Geoemyda spengleri*
25 94. *Mauremys iversoni*
95. *Mauremys megalcephala*
96. *Mauremys nigricans*
97. *Mauremys pritchardi*
98. *Mauremys reevesii*
30 99. *Mauremys sinensis*
100. *Ocadia glyphistoma*
101. *Ocadia philippeni*
102. *Sacalia bealei*
103. *Sacalia pseudocellata*
35 104. *Sacalia quadriocellata*

Trionychidae: Softshell turtles, terrapins

105. *Palea steindachneri*
106. *Pelodiscus axenaria*
107. *Pelodiscus maackii*
40 108. *Pelodiscus parviformis*
109. *Rafetus swinhoei*

**PHYLUM ECHINODERMATA
CLASS HOLOTHUROIDEA
(SEA CUCUMBERS)**

ASPIDOCHIROTIDA

Stichopodidae Sea cucumbers

110. *Isostichopus fuscus* 5

**CLASS INSECTA
(INSECTS)**

COLEOPTERA

Lucanidae: Cape stag beetles

111. *Colophon* supp. 10

LEPIDOPTERA

Nymphalidae: Brush-footed butterflies

112. *Agrias amydon boliviensis*
113. *Morpho godartii lachaumei* 15
114. *Prepona praeneste buckleyana*

**PHYLUM CNIDARIA
CLASS ANTHOZOA
(CORALS AND SEA ANEMONES)**

GORGONACEAE

Coralliidae

115. *Corallium elatius*
116. *Corallium japonicum*
117. *Corallium konjoi*
118. *Corallium secundum* 25

FLORA (PLANTS)

GNETACEAE: Gnetums

119. *Gnetum montanum*

LEGUMINOSAE (Fabaceae): Afrormosia, cristobal, rosewood, sandalwood

120. *Dalbergia retusa* 30
121. *Dalbergia stevensonii*
122. *Dipteryx panamensis*

MAGNOLIACEAE: Magnolia

123. *Magnolia liliifera* var *obovata*

MELIACEAE Mahoganies, Spanish cedar

124. *Cedrela fissilis*
125. *Cedrela lilloi*
126. *Cedrela odorata* 35

PALMAE (Arecaceae): Palms

127. *Lodoicea maldivica* 40

PAPAVERACEAE: Poppy

128. *Meconopsis regia*

PINACEAE: Firs and pines

129. *Abies guatemalensis*
130. *Pinus koraiensis* 45

PODOCARPACEAE: Podocarps

131. *Podocarpus neriifolius*

TROCHODENDRACEAE: (Tetracentraceae) Tetracentron

132. *Tetracentron sinense*

STATEMENT OF OBJECTS AND REASONS

The Wild Life (Protection) Act, 1972 provides for the protection and conservation of wild animals, birds and plants. The said Act, provides *inter alia*, for the management of their habitats and regulation and control of trade or commerce thereof.

2. Taking into consideration the increase in wild life crime, the Central Government had constituted a Tiger Task Force. The Tiger Task Force, in its report, had recommended for amending the Wild Life (Protection) Act, 1972 so as to increase the punishments for violating provisions of the Act. Consequent upon the recommendations the Task Force, a Committee was constituted for examining the recommendations made by the Tiger Task Force relating to amendments in the Act and the provisions for enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in the country, and suggesting other necessary amendments. India is a party to the said Convention and it is obligatory for the country to bring in necessary legislative changes to facilitate implementation of CITES.

3. The Committee, *inter alia*, recommended to insert a new Chapter VB, in the Act consistent with the provisions of the CITES. The terms, phrases and definitions etc. in the Chapter would have the same meaning as given in the CITES.

4. The Wild Life (Protection) Amendment Bill, 2013, *inter alia*, proposes to—

- (a) insert new definitions in view of the amendments proposed in the Act;
- (b) provide for prohibition on use of animal traps except under certain circumstances;
- (c) provide for grant of permit for scientific research;
- (d) make provisions relating to CITES so as to control illegal international trade in wild life;
- (e) increase the punishment for offences under the Act;
- (f) make provision considering certain activities as non prohibitive under section 29 of the Act, such as, grazing or movement of livestock, *bona fide* use of drinking and household water by local communities, etc.;
- (g) provide for protection of hunting rights of the Scheduled Tribes in the Union territory of Andaman and Nicobar Islands;
- (h) insert a new Schedule VII to the Act so as to include the Appendices listing out flora and fauna for purposes of regulation of international trade under CITES;
- (i) make certain consequential and other amendments to the Act.

5. The notes on clauses explain in detail various provisions contained in the Bill.

6. The Bill seeks to achieve the above objectives.

JAYANTHI NATARAJAN

NEW DELHI;

The 31st January, 2013.

Notes on clauses

Clause 2.—This clause seeks to amend section 2 of the Wild Life (Protection) Act, 1972 (hereinafter referred to as the principal Act) which relates to definitions.

Clause 3.—This clause seeks to amend sub-section (3) of section 5B of the Act which relates to standing committee of the National Board for Wildlife.

It is proposed to provide that rules may be made prescribing the terms and conditions of committees, sub-committees or study groups to be constituted, by the National Board in discharge of functions assigned to it.

Clause 4.—This clause seeks to insert new section 9A which relates to prohibition on animal traps.

It provides that no person shall manufacture, sell, purchase, keep, transport or use any animal trap except with prior permission given in writing by the Chief Wild Life Warden for educational and scientific purposes.

It further provides that every person, who possesses any animal trap on the date of commencement of the proposed legislation, shall within sixty days from such commencement, shall make declarations to that effect.

It also provides that the Chief Wild Life Warden may impose, then person to possess such trap subject to conditions.

It also provides that all declared animal traps, of which permission has not been granted shall become the property of the State Government. In the prosecution for any offence under the proposed section, it shall be presumed that a person in possession of animal trap is in unlawful possession of such trap.

Clause 5.—This clause seeks to insert a new section 12A which relates to grant of permit for scientific research.

It provides that notwithstanding anything contained in the Act, the Chief Wildlife Warden, shall grant a permit to any person to conduct scientific research subject to such conditions and in such.

It further provides for the Central Government to prescribe in respect of certain matters.

Clause 6.—This clause seeks to amend section 18 of the Act relating to declaration of Sanctuary.

It provides that the State Government shall declare its intention to constitute any area which falls under the Scheduled Areas as a sanctuary in consultation with the Gram Sabha concerned.

Clause 7.—This clause seeks to amend section 22 of the principal Act which relates to inquiry by the Collector.

It provides that the Collector claims and rights shall ascertain the same from the records of the State Government and of the Gram Sabha and the evidence of any person acquainted with such rights.

Clause 8.— This clause seeks to amend section 28 of the principal Act which relates to grant of permit.

It proposes to grant permit for documentary film-making also without making any change in habitat or causing any adverse impact to it or wildlife."

Clause 9.—This clause seeks to substitute the existing *Explanation* to section 29 of the principal Act which relates to destruction, etc., in sanctuary prohibited without a permit.

It proposes to include the reference of section 11, 12 and clause (c) of sub-section (2) of section 24 for the purposes enhancing the scope of the *Explanation*.

Clause 10.—This clause seeks to amend section 32 of the principal Act which relates to ban on use of injurious substances.

It proposes to include other substances or equipment with a view to ban carrying of injurious equipments inside the sanctuary.

Clause 11.—This clause seeks to amend section 33 of the principal Act which relates to control of sanctuaries.

It proposes that the Chief Wild Life Warden shall control, manage and maintain all sanctuaries in accordance with the management plan prepared as per guidelines issued by the Central Government and also to include Government lodges within the purview of clause (a) thereof.

Clause 12.—This clause seeks to amend section 35 of the principal Act which relates to declaration of National Parks.

It proposes to insert a new proviso to sub-section (1) of the aforesaid section to provide that the State Government shall declare its intention to constitute any area which falls under the Scheduled Areas as a National Park in consultation with the Gram Sabha concerned.

It further proposes to insert a new sub-section (2A) to provide that the notification under sub-section (1) shall include relevant details of forests (including forest compartment number) and revenue records pertaining to the area proposed to be declared as a National Park.

Clause 13.—This clause seeks to amend section 36D of the principal Act which relates to Community Reserve Management Committee.

It proposes to reduce the representatives from five to three to be nominated by the village panchayats, etc.

It further proposes to insert a new sub-section (2A) which provides that where a community reserve is declared on private land under sub-section (1) of section 36C, the Community Reserve Management Committee shall consist of the owner of the land along with a representative of the State Forests or Wildlife Department under whose jurisdiction the Community Reserve is located.

Clause 14.—This clause seeks to amend section 38 of the principal Act which relates to power of the Central Government to declare areas as sanctuaries or National Parks.

It proposes to insert a new proviso to sub-section (2) of the aforesaid section to provide that the State Government shall declare its intention to constitute any area which falls under the Scheduled Areas as a National Park in consultation with the Gram Sabha concerned.

Clause 15.—This clause seeks to amend section 38C of the principal Act which relates to functions of the Central Zoo Authority.

It proposes to insert a new clause (aa) which enables the Authority to supervise the overall functioning of the zoos and authorise the concerned Chief Wild Life Warden to supervise the zoo.

Clause 16.—This clause seeks to amend section 38J of the principal Act which relates to prohibition of teasing, etc., in a zoo.

It proposes to confer power upon the Central Zoo Authority to issue guidelines in this regard.

Clause 17.—This clause seeks to amend section 38L of the principal Act which relates to constitution of National Tiger Conservation Authority.

It proposes to substitute clauses (l) and (m) of sub-section (2) include officers of the National Commission of Scheduled Tribes and National Commission for the Scheduled Castes of officers authorised by them.

Clause 18.—This clause seeks to amend section 38-O of the principal Act which relates to powers and functions of Tiger Conservation Authority.

It proposes to enable the Authority to make grants to the State Government for implementation of tiger conservation plans.

Clause 19.—This clause seeks to insert a new section 38XA which provides that the provisions contained in Chapter IVB shall be in addition to, and not in derogation of, the provisions relating to the Sanctuaries and National Parks (whether included and declared, or are in the process of being so declared) included in a tiger reserve under the principal Act.

Clause 20.—This clause seeks to amend the heading of Chapter IVC of the principal Act with respect to the nomination of the Wild Life Crime Control Bureau.

Clause 21.—This clause seeks to substitute section 38Y of the principal Act which relates to constitution of Wild Life Crime Control Bureau and also to the change of name of the Wild Life Crime Control Bureau.

Clause 22.—This clause seeks to amend section 39 of the principal Act relating to wild animals, etc., to be Government property.

It proposes to amend sub-section (l) of the aforesaid section so as to include specified plant picked, uprooted, kept, damaged or destroyed, dealt with or sold under section 17A within the scope of the said sub-section (l).

It further proposes to insert a new sub-section (4) to provide that where Government property is alive animal and it cannot be released to its natural habitat, the State Government shall ensure that it is housed and cared for by a recognised zoo or rescue centre.

Clause 23.—This clause seeks to insert new Chapter VB in the principal Act for Regulation of International Trade in Endangered Species of Wild Fauna and Flora.

The proposed new section 49D seeks to *inter alia*, define the words and expression for the purposes of the proposed new Chapter.

The proposed new section 49E provides for application of the provisions of the proposed Chapter to animal and plant species listed in Schedule VII and exotic species.

The proposed new section 49F makes provision of Management Authority and other officers.

It further provides that the Central Government may designate an officer not below the rank of Additional Director General of Forests as the Management Authority for discharging functions and exercising powers under the proposed legislation.

It also provides that the Management Authority shall be responsible for issuance of permits and certificates regulating the import, export and re-export of any scheduled specimen, submission of reports and other functions as required under the proposed Chapter and he shall, on the advice of the Scientific Authority, notify the exotic species of animals and plants not covered by the Convention and prepare and submit annual and biennial reports to the Central Government.

It also provides that the Central Government may appoint officers and employees to assist the Management Authority in discharging his functions or exercising powers.

It also enables the Management Authority to delegate the functions or powers [except the power to notify exotic species under sub-section (3)], to the officers not below the rank of Assistant Inspector General of Forests.

The proposed new section 49G provides for powers of Management Authority.

It provides that the Management Authority shall, while discharging the functions or exercising powers ensure certain matters specified therein.

The proposed new section 49H provides for Scientific Authorities. It provides that the Central Government may designate one or more institutes established by it and engaged in research in wildlife, as the Scientific Authority for the purposes of the proposed Chapter.

It further provides that the designated Scientific Authority shall advise the Management Authority in such matters as may be referred to it by the Management Authority.

It also provides that the Scientific Authority, while advising the Management Authority shall be guided by the principles specified therein and the Scientific Authority shall monitor the export permits granted by the Management Authority for specimens of species included in Appendix II to Schedule VII.

It also provides that it shall be the duty of the Scientific Authority to identify and inform the Management Authority of exotic species of animals and plants which are not covered by Schedule VII and require regulation thereof (i) to protect the indigenous gene pool of the wildlife found in India; (ii) to avoid threat to the wildlife or ecosystems of India as such species are invasive in nature; (iii) to protect such species as they, in the opinion of the Scientific Authority, are critically endangered in the habitats in which they occur naturally.

The proposed new section 49-I provides that the Management Authority and the Scientific Authority, while performing their duties and exercising powers, shall be subject to such general or special directions, as the Central Government may, from time to time, give in writing.

The proposed new section 49J provides for constitution of a co-ordination committee for the purpose of ensuring co-ordination between the Management Authority and Scientific Authority, State Chief Wildlife Wardens and other enforcement authorities or agencies dealing with trade in wild life.

The proposed new section 49K provides that no person shall enter into any international trade in scheduled specimens included in Appendix I to Schedule VII.

It further provides that no person shall enter into any trade in any scheduled specimen except in accordance with the certificate granted by the Management Authority or the officer authorised by him in such manner as may be prescribed.

It also provides that every person trading in any scheduled specimen shall report the details of the scheduled specimen and the transaction to the Management Authority or the officer authorised by him in such manner as may be prescribed.

It also provides that every person, desirous of trading in a scheduled specimen, shall present it for clearance to the Management Authority or the officer authorised by him or a customs officer only at the ports of exit and entry specified thereof.

The proposed new section 49L provides that every person possessing an exotic species or scheduled specimen shall report the details of such specimen or specimens to the Management Authority or the officer authorised by him within such period and in such manner as may be prescribed.

It further provides that the Management Authority or the officer authorised by him may, on being satisfied that any exotic species or scheduled specimen was in possession of a person being the owner prior to the date of coming into force of the proposed legislation and the rules made thereunder, or was obtained, in conformity with the Convention, register the details of such scheduled specimen or exotic species and issue a registration certificate in the prescribed manner allowing the owner to retain such specimen.

It also provides that any person who transfers possession of any scheduled specimen or exotic species shall report the details of such transfer to the Management Authority or the officer authorised by it in such form and within such period and in such manner as may be prescribed and the Management Authority or the officer authorised by him shall register all transfers of scheduled specimens or exotic species and issue the transferee with a registration certificate in such manner as may be prescribed.

It also provides that any person in possession of any live scheduled specimen or exotic species which bears any offspring shall report the birth of such offspring to the Management Authority or the officer authorised by him in such form and within such period and in such manner as may be prescribed.

It also provides that the Management Authority or the officer authorised by it shall on receipt of the report, register any offspring born to any scheduled specimen or exotic species and issue the owner with a registration certificate in such manner as may be prescribed.

It also provides that no person shall possess, transfer or breed any scheduled specimen or exotic species except in conformity with this section and the rules made thereunder; and the owner of an exotic species or scheduled specimen shall take all necessary precautions to ensure that it does not contaminate the indigenous gene pool of the wildlife found in the country in any manner.

The proposed new section 49M provides for registration of persons engaged in breeding or artificially propagating specimen of Schedule VII. It provides that every person who is engaged in the breeding in captivity or artificially propagating any scheduled specimen listed in Appendix I of Schedule VII shall make an application for registration to the Conservator of Forest (Wildlife) within a period of ninety days of the commencement of the proposed legislation.

It further provides that the form of application to be made to the Conservator of Forest (Wildlife) under sub-section (1), the particulars to be contained in such application form, the manner in which such application shall be made, the fee payable thereon, the form of certificate of registration, the procedure to be followed in granting or cancelling the certificate of registration shall be such as may be prescribed.

The proposed new section 49N provides for registration and issue of certificate of registration.

It further provides that if the Conservator of Forest (Wildlife) is not satisfied that the provisions of the Act and rules made thereunder are complied with or if a false particular is furnished, he may refuse or cancel the registration as the case may be.

It also provides that the certificate of registration shall be issued for a period of two years and may be renewed after two years on payment of such fee as may be prescribed.

It also provides that any person aggrieved by the refusal of the Conservator of Forest (Wildlife) or cancellation of registration may prefer an appeal to the Chief Wildlife Warden.

The proposed new section 49-O provides for prohibition of erasing of a mark of identification. It provides that no person shall alter, deface, erase or remove a mark of identification affixed upon the exotic species or scheduled specimen or its package.

The proposed new section 49P provides that exotic species of scheduled specimen to be Government property.

It further provides that the provisions of section 39 shall, so far as may be, apply in relation to the exotic species or scheduled specimen as they apply in relation to wild animals and animals articles referred to in sub-section (1) of that section.

It also provides that where specimen referred to in sub-section (2) is a live animal, the State Government shall ensure that it is housed and cared for by a recognised zoo or rescue centre in case it cannot be released to its natural habitat.

Clause 24.—This clause seeks to amend section 50 of the principal Act which relate to power of entry, search, arrest and detention. It seeks to confer power of entry, search, arrest and detention on any officer authorised by the Management Authority or any customs officer not below the rank of an inspector or any officer of the coast guard not below the rank of an Assistant Commandant.

It further seeks to insert a new sub-section (10) which provides that during any inquiry or trial of an offence under the Act, where it appears to the Judge or Magistrate that there is *prima facie* case that any property including vehicles and vessels, seized under clause (c) of sub-section (1) was involved in any way in the commission of an offence under the Act, the Judge or Magistrate shall not order for the return of such property to its rightful owner until the conclusion of the trial of the offence notwithstanding anything contained in section 451 of the Code of Criminal Procedure.

Clause 25.—This clause seeks to insert new section 50A and 50B.

The proposed new section 50A provides for power to undertake delivery. It provides that the Director Wildlife Crime Control Bureau or any other officer authorised by him, may, undertake control of delivery of any consignment to—(a) any destination in India, (b) a foreign country, in consultation with the competent authority of such foreign country to which a consignment is destined, in such manner as may be prescribed.

The proposed new section 50B provides that the police to take charge of articles seized and delivered. It provides that an officer-in-charge of a police station as and when so requested in writing by an officer mentioned in sub-section (1) of section 50, shall take charge of and keep in safe custody, pending the order of the Magistrate, all articles seized under the Act.

It further provides that the officer-in-charge may allow any officer to accompany such articles to the police station or who may be deputed, to affix his seal to such articles or to take samples of and from them and all samples so taken shall also be sealed with a seal of the officer-in-charge of the police station.

It also provides that without prejudice to the provisions contained in the Code of Criminal Procedure, 1973 or any other law for the time being in force, the Central Government may, by rules, specify the manner of dealing with the articles forwarded to the police officer under sub-section (1).

Clause 26.—This clause seeks to substitute sections 51 and 51A of the principal Act relating to penalties and certain conditions to apply while granting bail. It provides that any person who contravenes any provision of the Act or any rule or order made thereunder, or terms and conditions of any licence or permit granted under the Act, shall be guilty of an offence and shall, on conviction, be liable to be punished in the manner specified under sub-sections (2) to (7).

It further provides that where the offence relates to any animal specified in Schedule I or Part II of Schedule II or the meat of such animal or animal article, trophy, or uncured trophy derived from such animal, such offence shall be punishable with imprisonment for a term which shall not be less than five years but may extend to seven years and also with fine which shall not be less than one lakh rupees but may extend to twenty-five lakh rupees and in the case of a second or subsequent offence, of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than five lakh rupees but may extend to fifty lakh rupees.

It also provides that where the offence relates to the sale or purchase or transfer or offer for sale or trade of any animal specified in Schedule I or Part II of Schedule II or the meat of such animal or animal article, trophy, or uncured trophy derived from such animal or any violation of Chapter VA, shall be punishable with imprisonment for a term which shall not be less than seven years and also with fine which shall not be less than fifteen lakh rupees and in the case of a second or subsequent offence, of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than thirty lakh rupees.

It also provides that where the offence relates to the sale or purchase or transfer or offer for sale or trade of any animal specified in Part I of Schedule II, Schedule III and Schedule IV, or the meat of such animal or animal article, trophy, or uncured trophy derived from such animal, such offence shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to one lakh rupees or with both and in case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment which may extend to five years or with fine which may extend to three lakh rupees or with both.

It also provides that where the offence relates to hunting in a sanctuary or a National Park or altering the boundaries of a sanctuary or a National Park, such offence shall be punishable with imprisonment for a term which shall not be less than five years but may extend to seven years and also with fine which shall not be less than five lakh rupees but may extend to twenty-five lakh rupees and in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than thirty lakh rupees.

It also provides that where the offence relates to hunting in a tiger reserve or altering the boundaries of a tiger reserve, such offence shall be punishable with imprisonment for a term which shall not be less than seven years and also with fine which shall not be less than five lakh rupees but may extend to thirty lakh rupees and in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than seven years and also with fine which shall not be less than fifty lakh rupees.

It also provides that where the offence relates to contravention of the provisions of section 38J, such offence shall be punishable with imprisonment for a term which may extend to six months or with a fine which may extend to five thousand rupees or with both and in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment may extend to one year or with fine which may extend to ten thousand rupees or with both.

The proposed new section 51A provides for other offences. It provides that where the offence relates to contravention of any other provision of the Act or any rule or order made thereunder, or the breach of any of the terms and conditions of any licence or permit granted under this Act, such offence shall be punishable with imprisonment for a term which may extend to three years and also with fine which may extend to twenty-five thousand rupees and in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than three years but may extend to five years and also with fine which shall not be less than fifty thousand rupees.

It further provides that when any person is convicted of an offence against this Act, the court trying the offence may order that any captive animal, wild animal, animal article, trophy, uncured trophy, meat, ivory imported into India or an article made from such ivory, any specified plant, or part or derivative thereof in respect of which the offence has been committed, and any trap, tool, vehicle, vessel or weapon, used in the commission of the said offence be forfeited to the State Government and that any licence or permit, held by such

person under this Act, be cancelled and such cancellation of licence or permit or forfeiture shall be in addition to any punishment that may be awarded for such offence.

It also provides that where any person is convicted of an offence under the Act, the court may direct that the licence, if any, granted to such person under the Arms Act, 1959, for possession of any arm with which an offence under the Act has been committed, shall be cancelled and that such person shall not be eligible for a licence under the Arms Act, 1959 for a period of five years from the date of conviction.

It also provides that nothing contained in section 360 of the Code of Criminal Procedure, 1973 or in the Probation of Offenders Act, 1958 shall apply to a person convicted of an offence with respect to hunting in a sanctuary or a National Park or of an offence against any provision of Chapter VA unless such person is under eighteen years of age.

The proposed new section 51B provides for certain conditions to apply while granting bail. It provides that every offence punishable with a term of imprisonment for three years or more under the Act shall be cognizable offence and no person accused of an offence under sub-sections (1), (2), (3), (5) and (6) of section 51 shall be released on bail or on his own bond unless the Public Prosecutor has been given the opportunity to oppose the application for such release.

Clause 27.—This clause seeks to amend section 55 of the principal Act which relates to cognizance of offence.

It proposes to insert a new clause (*ad*) so as to include the Management Authority or any officer, including an officer of the Wildlife Crime Control Bureau, authorised in this behalf by the Central Government within the scope of the aforesaid section for the purpose of making complaint of any offence under the Act.

It further proposes to insert a proviso to provide that a court may also take cognizance of any offence under this Act without the accused being committed to trial, upon perusal of a police report under section 173 of the Code of Criminal Procedure, 1973 of the facts constituting an offence under the Act.

Clause 28.—This clause seeks to amend section 61 of the principal Act which relates to power to alter entries in schedule.

It proposes to amend sub-section (1) so as to exclude Schedule VII from the purview of the said sub-section.

It further proposes to insert a new sub-section to confer power upon the Central Government to add or omit or amend the entries in any of the Schedules to respond to area or site specific requirements of each State in consultation with concerned State Government.

It also provides that the Central Government may amend, vary or modify Schedule VII in consultation with the Management Authority and the Scientific Authority.

It also provides that nothing contained in this Chapter and Schedule VII, shall affect anything contained in other provisions of the Act and the Schedules I to VI (both inclusive).

It also provides that every notification issued under this section shall be laid, as soon as may be after it is issued, before each House of Parliament.

Clause 29.—This clause seeks to amend section 63 of the principal Act which relates to power of Central Government to make rules.

It proposes to include the matters under the proposed legislation in respect of which the Central Government may make rules.

Clause 30.—This clause seeks to substitute section 65 of the principal Act which relates to right of Scheduled Tribes to be protected.

It provides that nothing in the Act shall affect the right of any Scheduled Tribes of the Andaman Islands and the Nicobar Islands in the Union territory of Andaman and Nicobar Islands as notified by the Andaman and Nicobar Administration.

Clause 31.—This clause seeks to insert a new Schedule VII to include the species as listed in the Appendices of Convention on International Trade in Endangered Species of Wild Fauna and Flora.

FINANCIAL MEMORANDUM

Clause 23 of the Bill seeks to insert a new Chapter VB in the Wild Life (Protection) Act, 1972 so as to provide for the provisions under the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The proposed new section 49F provides that the Central Government may designate an officer not below the rank of Additional Director General of Forests as the Management Authority for discharging functions and exercising powers under the Act. Sub-section (5) thereof provides that the Central Government may appoint such officers and employees as may be necessary to assist the Management Authority in discharging its functions or exercising the powers under the proposed new Chapter, on such terms and conditions of service including salaries and allowances as may be prescribed. The salaries and allowances of the officers and employees to be appointed shall be met from the sanctioned budget of the Central Government under the plan scheme "Strengthening of Wild Life Division Consultancies for Special Tasks".

2. The Bill, if enacted and brought into operation, is not likely to involve any other expenditure of recurring or non-recurring nature from and out of the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 30 of the Bill seeks to amend section 63 of the Wild Life (Protection) Act, 1972 which confers power upon the Central Government to make rules. The matters on which rules may be made, *inter alia*, relate to— (a) the rules, standards or procedures and any other matter pertaining to Scientific Research; (b) any matter relating to animal traps; (c) terms and conditions of the committee, sub-committees or study groups under sub-section (3) of section 5B; (d) terms and conditions of the committees under section 8A; (e) the terms and conditions of service including salaries and allowances of the officers and employees of the Management Authority under sub-section (5) of section 49F; (f) the rules of procedure for transaction of business at meetings of the co-ordination committee including quorum under sub-section (2) of section 49J; (g) the manner of granting permits for possessing or trading in scheduled specimens under sub-section (2) of section 49K; and the manner of furnishing reports of such specimens to the Management Authority under sub-section (3) of section 49K; (h) the rules to regulate breeding in captivity or artificially propagating specimens listed in Appendix I of Schedule VII; (i) any matter referred to in section 49L; (j) any other matter relating to Scheduled specimens or exotic species; (k) rules on any matter not specifically specified.

2. The rules made by the Central Government under section 63 of the Act, shall have to be laid, as soon as they are made, before each House of Parliament.

3. The matters in respect of which rules may be made are matters of procedure or administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

ANNEXURE

EXTRACTS FROM THE WILD LIFE (PROTECTION) ACT, 1972

(53 OF 1972)

* * * * *

2. In this Act, unless the context otherwise requires,— Definitions.

* * * * *

(15) "habitat" includes land, water or vegetation which is the natural home of any wild animal;

(16) "hunting" with its grammatical variations and cognate expressions, includes,—

* * * * *

(b) capturing, coursing, snaring, trapping, driving or baiting any wild or captive animal and every attempt to do so;

* * * * *

(24) "person" includes a firm;

* * * * *

(31) "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—

* * * * *

(b) antler, bone, carapace, shell, horn rhinoceros horn, hair, feather, nail, tooth, tusk, musk, eggs, nests and honeycomb;

* * * * *

(35) "weapon" includes ammunition, bows and arrows, explosives, firearms, hooks, knives, nets, poison, snares and traps and any instrument or apparatus capable of anaesthetizing, decoying, destroying, injuring or killing an animal;

(36) "wild animal" means any animal specified in Schedules I to IV and found wild in nature;

* * * * *

(39) "zoo" means an establishment, whether stationary or mobile, where captive animals are kept for exhibition to the public and includes a circus and rescue centres but does not include an establishment of a licensed dealer in captive animals.

* * * * *

5B. (1) * * * * *

(3) The National Board may constitute committees, sub-committees or study groups, as may be necessary, from time to time in proper discharge of the functions assigned to it.

* * * * *

22. The Collector shall, after service of the prescribed notice upon the claimant, expeditiously inquire into— Inquiry by Collector.

(a) the claim preferred before him under clause (b) of section 21, and

(b) the existence of any right mentioned in section 19 and not claimed under clause (b) of section 21,

so far as the same may be ascertainable from the records of the State Government and the evidence of any person acquainted with the same.

* * * * *

Grant of permit.

28. (1) The Chief Wild Life Warden 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:—

* * * * *

(b) photography;

* * * * *

Destruction, etc., in a sanctuary prohibited without a permit.

29. No person shall destroy, exploit or remove any wild life including forest produce from a sanctuary or destroy or damage or divert the habitat of any wild animal by any act whatsoever or divert, stop or enhance the flow of water into or outside the sanctuary, except under and in accordance with a permit granted by the Chief Wild Life Warden, and no such permit shall be granted unless the State Government being satisfied in consultation with the Board that such removal of wild life from the sanctuary or the change in the flow of water into or outside the sanctuary is necessary for the improvement and better management of wild life therein, authorises the issue of such permit:

Provided that where the forest produce is removed from a sanctuary the same may be used for meeting the personal *bona fide* needs of the people living in and around the sanctuary and shall not be used for any commercial purpose.

Explanation.—For the purposes of this section, grazing or movement of livestock permitted under clause (d) of section 33 shall not be deemed to be an act prohibited under this section.

* * * * *

Ban on use of injurious substances.

32. No person shall use, in a sanctuary, chemicals, explosives or any other substances which may cause injury to, or endanger, any wild life in such sanctuary.

Control of sanctuaries.

33. The Chief Wild Life Warden shall be the authority who shall control, manage and maintain all sanctuaries and for that purpose, within the limits of any sanctuary,—

(a) may construct such roads, bridges, buildings, fences or barrier gates, and carry out such other works as he may consider necessary for the purposes of such sanctuary:

Provided that no construction of commercial tourist lodges, hotels, zoos and safari parks shall be undertaken inside a sanctuary except with the prior approval of the National Board.

* * * * *

National Parks

Declaration of National Parks.

35. (1) Whenever it appears to the State Government that an area, whether within a sanctuary or not, is, by reason of its ecological, faunal, floral, geomorphological or zoological association or importance, needed to be constituted as a National Park for the purpose of protecting, propagating or developing wild life therein or its environment, it may, by notification, declare its intention to constitute such area as a National Park:

Provided that where any part of the territorial waters is proposed to be included in such National Park, the provisions of section 26A shall, as far as may be, apply in relation to the declaration of a National Park as they apply in relation to the declaration of a sanctuary.

(2) The notification referred to in sub-section (1) shall define the limits of the area which is intended to be declared as a National Park.

* * * * *

(8) The provisions of sections 27 and 28, sections 30 to 32 (both inclusive), and clauses (a), (b) and (c) of section 33, section 33A and section 34 shall, as far as may be apply in relation to a National Park as they apply in relation to a sanctuary.

Explanation.—For the purposes of this section, in case of an area, where within a sancutary or not, where the rights have been extinguished and the land has become vested in the State Government under any Act or otherwise such area may be notified by it, by a notification, as a National Park and the proceedings under sections 19 to 26 (both inclusive) and the provisions of sub-sections (3) and (4) of this section shall not apply.

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36D. (1) * * * * *

Community Reserve Management Committee.

(2) The Committee shall consist of five representatives nominated by the Village Panchayat or where such Panchayat does not exist by the members of the Gram Sabha and one representative of the State Forests or Wild Life Department under whose jurisdiction the community reserve is located.

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38L. (1) * * * * *

Constitution of National Tiger Conservation Authority.

(2) The Tiger Conservation Authority shall consist of the following members, namely:—

* * * * *

(l) Chairperson, National Commission for the Scheduled Tribes;

(m) Chairperson, National Commission for the Scheduled Castes;

* * * * *

38-O. (1) The Tiger Conservation Authority shall have the following powers and perform the following functions, namely:—

Powers and Functions of Tiger Conservation Authority.

(a) to approve the Tiger Conservation Plan prepared by the State Government under sub-section (3) of section 38V of this Act;

* * * * *

CHAPTER IVC

TIGER AND OTHER ENDANGERED SPECIES CRIME CONTROL BUREAU

38Y. The Central Government may, for the purposes of this Act, by order published in the Official Gazette, constitute a Tiger and Other Endangered Species Crime Control Bureau to be known as the Wildlife Crime Control Bureau consisting of—

Constitution of Tiger and other Endangered Species Crime Control Bureau.

(a) the Director of Wildlife Preservation—Director *ex officio*;

(b) the Inspector-General of Police—Additional Director;

(c) the Deputy Inspector-General of Police—Joint Director;

(d) the Deputy Inspector-General of Forests—Joint Director;

(e) the Additional Commissioner (Customs and Central Excise)—Joint Director; and

(f) such other officers as may be appointed from amongst the officers covered under sections 3 and 4 of this Act.

* * * * *

CHAPTER V

TRADE OR COMMERCE IN WILD ANIMALS, ANIMAL ARTICLES AND TROPHIES

Wild animals,
etc., to be
Government
property.

39. (1) Every—

(a) wild animal, other than vermin, which is hunted under section 11 or sub-section (1) of section 29 or sub-section (6) of section 35 or kept or bred in captivity or hunted in contravention of any provision of this Act or any rule or order made thereunder or found dead, or killed by mistake; and

* * * * *

CHAPTER VI

PREVENTION AND DETECTION OF OFFENCES

Power of
entry, search
arrest and
detention.

50. (1) Notwithstanding anything contained in any other law for the time being in force, the Director or any other officer authorised by him in this behalf or the Chief Wild Life Warden or the authorised officer or any forest officer or any police officer not below the rank of a sub-inspector, may, if he has reasonable grounds for believing that any person has committed an offence against this Act,—

(a) require any such person to produce for inspection any captive animal, wild animal, animal article, meat, trophy, uncured trophy, specified plant or part or derivative thereof in his control, custody or possession, or any licence, permit or other document granted to him or required to be kept by him under the provisions of this Act;

(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 or other things in his possession;

(c) seize any captive animal, wild animal, animal article, meat, trophy or uncured trophy, or any specified plant or part or derivative thereof, in respect of which an offence against this Act appears to have been committed, in the possession of any person together with any trap, tool, vehicle, vessel or weapon used for committing any such offence and, unless he is satisfied that such person will appear and answer any charge which may be preferred against him, arrest him without warrant, and detain him:

Provided that where a fisherman, residing within ten kilometres of a sanctuary or National Park, inadvertently enters on a boat, not used for commercial fishing, in the territorial waters in that sanctuary or National Park, a fishing tackle or net on such boat shall not be seized.

* * * * *

Penalties.

51. (1) Any person who contravenes any provision of this Act except Chapter VA and section 38J or any rule or order made thereunder or who commits a breach of any of the conditions of any licence or permit granted under this Act, shall be guilty of an offence against this Act, and shall, on conviction, be punishable with imprisonment for a term which may extend to three years or with fine which may extend to twenty-five thousand rupees or with both:

Provided that where the offence committed is in relation to any animal specified in Schedule I or Part II of Schedule II or meat of any such animal or animal article, trophy or uncured trophy derived from such animal or where the offence relates to hunting in a sanctuary or a National Park or altering the boundaries of a sanctuary or a National Park, such offence shall be punishable with imprisonment for a term which shall not be less than three years but may extend to seven years and also with fine which shall not be less than ten thousand rupees:

Provided further that in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment shall not be less than three years but may extend to seven years and also with fine which shall not be less than twenty-five thousand rupees.

(IA) Any person who contravenes any provisions of Chapter VA, 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 ten thousand rupees.

(IB) Any person who contravenes the provisions of section 38J shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both:

Provided that in the case of a second or subsequent offence, the term of imprisonment may extend to one year or the fine which may extend to five thousand rupees.

(IC) Any person, who commits an offence in relation to the core area of a tiger reserve or where the offence relate to hunting in the tiger reserve or altering the boundaries of the tiger reserve, such offence shall be punishable on first conviction with imprisonment for a term which shall not be less than three years but may extend to seven years, and also with fine which shall not be less than fifty thousand rupees but may extend to two lakh rupees; and in the event of a second or subsequent conviction with imprisonment for a term of not less than seven years and also with fine which shall not be less than five lakh rupees but may extend to fifty lakh rupees.

(ID) Whoever, abets any offence punishable under sub-section (IC) shall, if the act abetted is committed in consequence of the abetment, be punishable with the punishment provided for that offence.

(2) When any person is convicted of an offence against this Act, the Court trying the offence may order that any captive animal, wild animal, animal article, trophy, uncured trophy, meat, ivory imported into India or an article made from such ivory, any specified plant, or part or derivative thereof in respect of which the offence has been committed, and any trap, tool, vehicle, vessel or weapon, used in the commission of the said offence be forfeited to the State Government and that any licence or permit, held by such person under the provisions of this Act, be cancelled.

(3) Such cancellation of licence or permit or such forfeiture shall be in addition to any other punishment that may be awarded for such offence.

54 of 1959. (4) Where any person is convicted of an offence against this Act, the court may direct that the licence, if any, granted to such person under the Arms Act, 1959, for possession of any arm with which an offence against this Act has been committed, shall be cancelled and that such person shall not be eligible for a licence under the Arms Act, 1959, for a period of five years from the date of conviction.

2 of 1974.
20 of 1958. (5) Nothing contained in section 360 of the Code of Criminal Procedure, 1973 or in the Probation of Offenders Act, 1958 shall apply to a person convicted of an offence with respect to hunting in a sanctuary or a National Park or of an offence against any provision of Chapter VA unless such person is under eighteen years of age.

2 of 1974. **51A.** When any person accused of, the commission of any offence relating to Schedule I or Part II of Schedule II or offences relating to hunting inside the boundaries of National Park or wild life sanctuary or altering the boundaries of such parks and sanctuaries, is arrested under the provisions of the Act, then notwithstanding anything contained in the Code of Criminal Procedure, 1973 no such person who had been previously convicted of an offence under this Act shall, be released on bail unless—

Certain conditions to apply while granting bail.

(a) the Public Prosecutor has been given an opportunity of opposing the release on bail; and

(b) where the Public Prosecutor opposes the application, the Court is satisfied that there are reasonable grounds for believing that he is not guilty of such offence and that he is not likely to commit any offence while on bail.

* * * * *

Cognizance of offences.

55. No Court shall take cognizance of any offence against this Act on the complaint of any person other than—

(a) the Director of Wild Life Preservation or any other officer authorised in this behalf by the Central Government; or

(aa) the Member-Secretary, Central Zoo Authority in matters relating to violation of the provisions of Chapter IVA; or

(ab) Member-Secretary, Tiger Conservation Authority; or

(ac) Director of the concerned tiger reserve; or

(b) the Chief Wild Life Warden, or any other officer authorised in this behalf by the State Government subject to such conditions as may be specified by that Government; or

(bb) the officer-in-charge of the zoo in respect of violation of provisions of section 38J; or

(c) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint to the Central Government or the State Government or the officer authorised as aforesaid.

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Power to alter entries in Schedules.

61. (1) The Central Government may, if it is of opinion that it is expedient so to do, by notification, add or delete any entry to or from any Schedule or transfer any entry from one Part of a Schedule to another Part of the same Schedule or from one Schedule to another.

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Rights of Scheduled Tribes to be protected.

65. Nothing in this Act shall affect the hunting rights conferred on the Scheduled Tribes of the Nicobar Islands in the Union territory of Andaman and Nicobar Islands by notification of the Andaman and Nicobar Administration, No. 40/67/F, No. G 635, Vol. III, dated the 28th April, 1967, published at pages 1 to 5 of the extraordinary issue of the Andaman and Nicobar Gazette, dated the 28th April, 1967.

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RAJYA SABHA

A
BILL

further to amend the Wild Life (Protection) Act, 1972.

*[Shrimati Jayanthi Natarajan, Minister of State (Independent Charge)
in the Ministry of Environment and Forests]*