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अण्डमान तथा निकोबार प्रशासन
ANDAMAN AND NICOBAR ADMINISTRATION
(पर्यावरण एवं वन विभाग)
DEPARTMENT OF ENVIRONMENT & FORESTS

NOTIFICATION

Port Blair, dated the 5th August, 2008

THE ANDAMAN AND NICOBAR ISLANDS WILDLIFE (PROTECTION) RULES, 2008

No.107/2008/ F. No. 8(4-1)/2/258.—In exercise of the powers conferred by Section 64 of the Wildlife (Protection) Act, 1972 (Central Act 53 of 1972), as amended upto 2006, read with sub-section (29) of Section 2 thereof, the Lt. Governor, Andaman and Nicobar Islands hereby makes the following rules, namely:-

CHAPTER-I

PRELIMINARY

1. Short title, extent and commencement:-

- (i) These rules may be called the Andaman and Nicobar Islands Wildlife (Protection) Rules, 2008.
- (ii) They shall extend to the whole of the Union Territory of Andaman and Nicobar Islands.
- (iii) They shall come into force from such date as these may be issued by notification in official Gazette.

2. Definitions

In these rules, unless the context otherwise requires:-

- (i) "Act" means the Wildlife (Protection) Act, 1972 (Central Act 53 of 1972) amended till 2006;
- (ii) "Assistant Conservator of Forests" means a Assistant Conservator of Forests of Department of Environment and Forests, Andaman and Nicobar Islands;
- (iii) "Board" means the State Board for Wildlife constituted under sub-section (1) of Section 6 of Wildlife (Protection) Act, 1972;
- (iv) "Chairman" means the Chairman of State Board for Wildlife constituted under sub-section (1) of Section 6 of the Act;

- (v) "Chief Wildlife Warden" means Chief Wildlife Warden of Andaman and Nicobar Islands;
- (vi) "Deputy Conservator of Forests" means a Deputy Conservator of Forests of Department of Environment and Forests, Andaman and Nicobar Islands;
- (vii) "Divisional Forest Officer" means a Divisional Forest Officer of Department of Environment and Forests, Andaman and Nicobar Islands;
- (viii) "Forest Officer" means a Forest Officer of Department of Environment and Forests, Andaman and Nicobar Islands;
- (ix) "Form" means a Form appended to these rules;
- (x) "Licence" means a Licence granted under Chapter V of the Act;
- (xi) "Licensee" means holder of a Licence;
- (xii) "Lt. Governor" means Lt. Governor of the Andaman and Nicobar Islands;
- (xiii) "Range Officer" means a Range Officer of Department of Environment and Forests, Andaman and Nicobar Islands;
- (xiv) "Schedule" means a Schedule of the Act;
- (xv) "Section" means Section given in the Wildlife (Protection) Act, 1972 (Central Act 53 of 1972) amended till 2006;
- (xvi) All other words and expressions used in these rules shall have the meaning as defined in the Act.

CHAPTER-II

AUTHORITIES TO BE APPOINTED OR CONSTITUTED UNDER THIS ACT

A. Honorary Wildlife Warden

On recommendation of the Chief Wildlife Warden / members of State Board for Wildlife, the Lt. Governor, Andaman & Nicobar Islands shall appoint Honorary Wildlife Warden under Section 4(1) (bb).

3. Terms of Honorary Wildlife Warden

The term of office of an Honorary Wildlife Warden shall be for **two years** from the date of his appointment.

- 4. (i) An Honorary Wildlife Warden appointed under sub-section 1(bb) of Section 4 of the Act may resign from his office by giving in writing to the Chief Wildlife Warden.
- (ii) The office of an Honorary Wildlife Warden shall fall vacant from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.
- (iii) The Lt. Governor may, at his discretion, terminate the appointment of an Honorary Wildlife Warden at any time, without assigning any reasons.

5. Duties and responsibilities of Honorary Wildlife Warden

The main duty and responsibility of an Honorary Wildlife Warden is to assist the officials responsible for wildlife conservation work, especially with regard to following matters:

- (i) Control of poaching and clandestine trade in wild animals and products/ articles thereof.

- (ii) Detection and prosecution of offences under the Wildlife (Protection) Act, 1972 and the Rules made thereunder.
- (iii) Preventing damage to the habitat of Wildlife.
- (iv) Identification and selection of areas suitable to be declared as Sanctuaries, National Parks, Conservation Reserves, Community Reserves, etc. as well as measures for their proper protection.
- (v) Measures for dealing with the problem of damage by wild animals to life and property.
- (vi) Carrying the message of conservation to the people and enlisting public support for nature and wildlife conservation. The effort should be specially directed towards the communities living in or near the declared wildlife reserves.
- (vii) Any other matter related with protection of wildlife that may be entrusted by the Board or the Chief Wildlife Warden from time to time.

6. Powers Delegated To Honorary Wildlife Warden

- (i) Honorary Wildlife Warden appointed under Section 4(1) (bb) under the Wildlife (Protection) Act, 1972 shall be subordinate to the Chief Wildlife Warden and under Section 59 of the Act is deemed to be a Public Servant within the meaning of Section 21 of the Indian Penal Code.
- (ii) Power to inspect record of the Licensee under Section 47 (b) of the Act.

B. ANDAMAN & NICOBAR BOARD FOR WILDLIFE

7. Term of Office

- (i) The term of office of the member of the Board as referred under Section 6 (2) of the Act shall be two years from the date of his appointment.
8. (i) A member of the Board referred to clauses (d) and (e) of Section 6 (1) of the Act, may resign by giving in writing to the Chairman of the Board.
- (ii) The vacancy arising out of resignation of a member of the Board shall be effective from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.
- (iii) The power to accept the resignation of a member of the Board shall rest with the Chairman.

9. Filling of Casual Vacancy

- (i) When a member of the Board resigns or dies or is removed from office or becomes incapable of acting, the Lt. Governor may, by notification in official Gazette, appoint another person to fill the vacancy.
- (ii) A person appointed to fill the casual vacancy under sub-rule (i) shall hold office only for so long as the member whose place he fills would have been entitled to hold office, if the vacancy had not occurred.

10. Removal from the Board

The Lt. Governor may remove any member from his office.

- a. If he is of unsound mind and stand so declared by a competent medical Board or
- b. If he is insolvent or
- c. If he is convicted in a criminal offence involving moral turpitude, or
- d. If, without the permission of the Chairman, he fails to attend more than three successive meetings of the Board.

11. Allowances

The non-official member of the Board shall get travelling and daily allowances as admissible to Class—A officers of the Union Territory of Andaman & Nicobar Islands. They are also entitled to travel by air in economy class.

12. Member Secretary shall be Controlling Authority

The Member Secretary of the Board shall be the Controlling Authority in respect of payment of allowances under this chapter.

CHAPTER-III

HUNTING OF WILDLIFE

13. Hunting of Wild animals to be permitted in certain cases

After hunting, the corpse/animal(s) shall be immediately handed over to concerned Range Officer with details prescribed in Form No.1.

14. Grant of Permit for special purposes

- (i) An application for hunting of a wild animal for the purpose specified in Section 12 of the Act shall be made in Form No. 2.
- (ii) On receipt of an application under Rule 14 (i), the Chief Wildlife Warden may after such inquiry as he may deem fit, grant or reject the application.
- (iii) Where the Chief Wildlife Warden decides to grant the permit applied for, he shall require the applicant to submit within such time as he may specify, the necessary treasury receipt or Bank Challan showing the payment of fee as specified in Rule 15.

15. Fee

- (i) A person who is granted permit under Rule 14 shall, when required by the issuing officer, pay the fee as specified below:
 - (a) Schedule-I Animal
 - (i) Mammals, Big reptile, Fishes, Birds Rs.10,000/-
 - (ii) Others Rs. 5,000/-
 - (b) Schedule-II (Part-II) Rs. 2,000/-
 - (c) Wild animal not included in (a) & (b) above Rs. 1,000/-
- (ii) Fees shall not be applicable for scientific research by recognized institutes not involving killing or damage /injury to the wild animal(s) or collection of specimens for further research.

CHAPTER-IV

PROTECTED AREAS —SANCTUARIES AND NATIONAL PARKS

16. Claim to be made upon proclamation by Collector

Where the Collector publishes a proclamation under Section 21 under the Wildlife (Protection) Act, 1972, any person claiming any right mentioned in the Section 19 of the Act, may prefer before such Collector, within two months from the date of such proclamation, a written claim in Form No. 3.

17. Grant of permit to enter in Sanctuary / National Park

- (i) Any person who intends to enter or reside in a Sanctuary for all or any of the purposes mentioned in Section 28 and Section 35 (8) of the Act, shall submit an application in **Form No. 4(A)** to the Chief Wildlife Warden/ authorized officer. The application may be submitted to the concerned Deputy Conservator of Forests /Divisional Forest Officer/ Assistant Conservator of Forests/ Range Officer, in the areas of their respective jurisdiction.
- (ii) On receipt of an application for a permit under Rule 17(i), the Chief Wildlife Warden/ authorized officer may, after such inquiry as he may deem fit, grant or reject the application.
- (iii) Every person desiring to enter any Sanctuary or National Park as may be determined by the Chief Wildlife Warden or the Authorized Officer in this behalf, for the purpose of tourism or transaction of any lawful business, shall obtain a permit which shall be issued at the office or at the gate of the Sanctuary or National Park.
- (iv) A permit referred to in sub-rule (iii) shall be in Form 4(B) and be issued by an officer authorized by the Wildlife Warden on payment of a fee specified in Rule 18.

18. The fee in respect of the permit granted under Rule 17(ii) for tourism purpose under Section 28(1)(d) & (e) of the Act shall be as follows:

- (i) Entry fee in Mahatma Gandhi Marine National Park and other Island Sanctuary for the purpose of Section 28 (1) (d) of the Act. *(In case of visitors not being students)*
- | | |
|--|------------------------------|
| (a) Adults (Indians) | Rs. 50/- per person per day |
| (b) Children (Age group of 12 years and below) | Rs. 25/- per person per day |
| (c) Foreigners | Rs. 500/- per person per day |
| (d) Foreign Yacht | Rs. 1,000/- per boat per day |
- (ii) For other Sanctuary and National Park:
- | | |
|-------------------------------------|------------------------------|
| (a) Adults (Indians) | Rs. 25/- per person per day |
| (b) Children (Age group 5-12 years) | Rs. 10/- per person per day |
| (c) Foreigners | Rs. 250/- per person per day |
- (iii) In case of students:-
- | | |
|-----------------|--|
| (a) Indians— | Rs.5/- (Rupees five only per head per day) |
| (b) Foreigners— | Rs.10/- (Rupees ten only per head per day) |
- (iv) A child below five years shall be exempted from payment of the fee.
- (v) In respect of a vehicle which is:—
- | | |
|--|--|
| (a) A light motor vehicle such as a car or jeep or a motor cycle including motor scooter and cycle with attachment for propelling the same by mechanical power — | Rs.20/- (Rupees twenty only) per day. |
| (b) A heavy motor vehicle such as a bus or truck — | Rs.50/- (Rupees fifty only) per day |
| (c) A cycle and other vehicle manually operated — | Rs.5/- (Rupees five only) per vehicle. |

(d) A boat permitted for plying for tourism purpose shall pay the following rate:

- i. A boat carrying less than 10 persons — Rs.10, 000/- (Rupees ten thousand only) per annum.
 - ii. A boat carrying between 11-50 persons — Rs.50,000/- (Rupees fifty thousand only) per annum.
 - iii. A boat carrying between 51 and above — Rs.100, 000/- (Rupees one lakh only) per annum.
- (vi) The fees in respect of Rule 18 (v) (b) & (d) is inclusive of the entrance fee of one driver/ rider of the vehicle and crew (not exceeding 5 persons) in case of boats.
- (vii) A permit referred to in Rule 17 (ii) shall be valid for the period specified therein.

19. (A) Entry in a Sanctuary or a National Park for the purpose of Section 28(1) (a) (b) and (c) of the Act,

- (i) Every person desiring to enter a Sanctuary or National Park for the purpose of Investigation or study of the wildlife and purposes ancillary or incidental thereto or for professional photography or scientific research shall obtain a permit from the Chief Wildlife Warden of Andaman & Nicobar Islands.
- (ii) The fee payable by a person or a party not exceeding five persons for conducting scientific research in a Sanctuary or National Park shall be Rs.30/-
- (iii) The fee for operating a camera shall be as follows, namely:-
 - (a) For professional photographers using still camera Rs.200/- per day and for feature film shooting Rs.3,000/- per day.
 - (b) For professionals using any type of cine camera for the purpose of making TV or documentary films on Wildlife — Lumpsum of Rs.3,000/- per camera.
 - (c) Tourist using still camera Rs.10/- per camera and per video camera Rs.25/-
- (iv) The fee specified in sub-rule (iii) shall be paid in advance.
- (v) For feature film shooting, any TV or documentary films shooting, the applicant in addition to the above fee, shall make a deposit of Rs.2,000/- when required by the Chief Wildlife Warden of Andaman & Nicobar Islands. The deposit shall be refunded with due regard to the fulfillment of the terms and conditions laid down in this behalf.
- (vi) Professionals using cine camera for making TV documentary films as required in the sub-rule (iii) (a) & (b) above shall execute an agreement (Appendix-I) with the State Government.
- (vii) A fee of Rs.500/- per person per day in respect of Indian Citizen and Rs.2,000/- per person per day in respect of foreigners shall be charged for scuba diving.

19. (B) General conditions governing the issue of permits:-

- (i) The permit referred to in rule 19(A) shall be in Form 4(C).
- (ii) The permit shall not entitle any person to free accommodation in any Government building situated within the limits of the Sanctuary or National Park.
- (iii) Any officer or servant of the Forest Department on duty or an officer appointed under sub-section (i) of Section 4 of the Wildlife (P) Act, 1972 may require any person to stop within the limits of the Sanctuary or National Park, as the case

may be or at the entrance gate, for the purpose of checking and may demand for inspection, the permit granted under this chapter. Every person so required to stop, shall stop when called upon to do so and shall produce the permit for inspection.

- (iv) No person shall be allowed to enter a Sanctuary or a National Park with any weapon or ammunition, except with the previous permission in writing, of the Chief Wildlife Warden or any other officer authorized in this behalf.
- (v) No person shall be allowed to hunt/trap any wild animal/bird in the Sanctuary or National Park remove therefrom any wild animal/ bird, whether alive or dead or any trophy or meat derived from such animal/ bird without a valid special purpose permit.
- (vi) No person shall be allowed to set fire to the sanctuary, or kindle any fire or leave any fire burning in the sanctuary.
- (vii) No person shall be allowed to use in the sanctuary chemicals, explosives or any other substance which may cause injury to, or endanger, any wildlife in the sanctuary.

19. (C) Cancellation of permit:- Where a holder of a permit referred to in rule 17, 18 & 19 commits a breach of any of the provisions of the Act or the rules thereunder or of any of the conditions specified in a permit, the Chief Wildlife Warden or the officer-in-charge of a Sanctuary or National Park may, after recording his reasons in writing, cancel the permit.

19. (D) Power to exempt:- Where the Lt. Governor considers it necessary to expedient so to do in the public interest, it may, by order, exempt any person or class of persons from the payment of the fee payable under rule 17, 18 & 19.

20. Registration of certain persons in possession of arms

- (i) Within three months from the declaration of an area as a Sanctuary or National Park, every person residing in or within ten kilometre of such Sanctuary or National Parks and holding a Licence granted under the Arms Act, 1959 or exempted from the provisions of that Act and possessing arms, shall apply in **Form No-5(A)** to the Officer- in- charge of the Sanctuary or National Park for the registration of his name in the register maintained under this rule.
- (ii) The application under sub- rule (i) shall be accompanied by a fee of Rs.10/- in cash for such registration.
- (iii) (a) On receipt of an application under sub-rule (i) the Officer-in-charge of the Sanctuary or National Park shall, after making such inquiry as he may deem fit, register the name and other particulars of the applicant in **Form No-5(B)**.
 (b) A separate page in the register shall be allotted to every person whose name is so registered (hereinafter referred to 'the licensee')
- (iv) Where a licensee commits any offence under the Act or the rules made thereunder, the Officer-in-charge of the Sanctuary or National Park shall make an entry to that effect in the register and where such officer is satisfied that the licensee has committed the said offence, on occasions more than one, he may take such steps as he considers necessary, to move the authority concerned, for cancelling the licence, held by the licensee under Arms Act, 1959.
- (v) Where the licensee transfers his arms to another person by way of sale, gift or otherwise, he shall intimate the Officer-in-charge of the Sanctuary or National park, within a period of fifteen days of such transfer.

- (vi) Where the licensee changes his residence to another place within ten kilometres of such Sanctuary or National Park, or changes his residence to a place beyond such distance, he shall intimate his new address to the Officer-in-charge of the Sanctuary or National Park, within fifteen days from the date of shifting to the new residence.
- (vii) Where the licensee dies, his successor or legal representative shall, as soon as possible, after such death, intimate the fact to the Officer-in-charge of the Sanctuary or National Park.

CHAPTER-V

Trade or Commerce in Wild Animals, Animal Articles and Trophies

21. Declaration:

An application of inheritance of items mentioned under sub-section (2)(2B) of Section 40 of the Act, shall be made within ninety days of such inheritance in **Form No-6** to Chief Wildlife Warden.

22. Inquiry and preparation of inventories

- (i) The Chief Wildlife Warden or the authorized officer, not below the rank of Assistant Conservator of Forest under Section 41 of the Act, on receipt of a declaration in **Form No. 6** under Rule 21 or in **Form No. 7** under Section 40(1) shall give notice to the person making the declaration as to the date and time on which he shall enter upon the premises of such person and such notice shall be served on the person making the declaration or sent to him by registered post.
- (ii) The Chief Wildlife Warden or the authorized Officer may, after making such inquiry as he may deem fit, inspect the premises and animal articles, trophies, uncured trophies and captive animals specified in Schedule I or Part II of Schedule II.
- (iii) The Chief Wildlife Warden or the authorized Officer shall make an inventory in **Form No. 8** of such animals or objects found upon the premises.
- (iv) The Chief Wildlife Warden or the authorized officer shall affix upon the objects referred to in Rule 22 (iii), identification marks as far as possible in indelible ink.

23. Certificate of Ownership:

Under Section 42 of the Act, Chief Wild Life Warden may, for the purpose of Section 40 of the Act, issue a Certificate of Ownership in **Form No.9 (A)** to a person who, in his opinion, is in lawful possession of any animal, animal article, trophy or uncured trophy. In case of elephants, **Form No.9 (B)** will be used for Certificate of Ownership.

Dealing in trophy and animal articles without licence prohibited.

24. Every person desiring to commence or carry on the business as—

- (i) a manufacturer of or dealer in any animal article; or
- (ii) a taxidermist; or
- (iii) a dealer in trophy or uncured trophy; or
- (iv) a dealer in captive animals; or
- (v) a dealer in meat,

shall make an application in Form No. 10 to the Chief Wildlife Warden or the authorized officer for the grant of a licence.

