

WILD LIFE (TRANSACTIONS AND TAXIDERMY) RULES,1973

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WILD LIFE (TRANSACTIONS AND TAXIDERMY) RULES,1973

¹1 . Vide Notification No. G.S.R. 198(E), dated 9th April, 1973, published in the Gazette of India, Extra., Pt. D, Sec.3(i), dated 9th April, 1973). In exercise of the powers conferred by clause (b) of sub-section (1) of section 63 of the Wild Life (Protection) Act, 1972 (53 of 1972), the Central Government hereby makes the following rules:-

1. Short title, extent and commencement :-

(1) These rules may be called the Wild Life (Transactions and Taxidermy) Rules, 1973.

(2) They extend to the whole of the States of Bihar, Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh, and Uttar Pradesh.

(3) They shall come into force on the 9th April, 1973.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "Act" means the Wild Life (Protection) Act, 1972 (53 of 1972);

(b) "form" means a Form appended to these rules;

(c) "Licensee" means a licensee under Chapter V of the Act;

(d) "Officer" means the Chief Wild Life Warden or any other officer

whom the State Government may, for the purposes of these rules, by notification in the Official Gazette, appoint;

(e) "specified animal" means any animal which is specified in Schedule I, or Part II of Schedule II, to the Act and which is-

(i) captured or kept or bred in captivity, or

(ii) found wild in nature.

3. Acquiring, receiving or keeping specified animal, etc. in control, custody or possession or put under process of taxidermy or make articles, etc. :-

(1) No licensee shall-

(i) acquire, receive, keep in his control, custody, or possession, any specified animal or any animal article, trophy, uncured trophy or meat derived therefrom, or

(ii) put under a process of taxidermy or make animal article containing part or whole of such animal, except with the previous permission of the Officer.

(2) Every application for such permission shall be made in Form 1.

(3) On receipt of an application made under sub-rule (2), the Officer may, after making such inquiry as he may think fit and within a period of fifteen days from the date of receipt of the application, either grant or refuse to grant the permission: Provided that no such permission shall be granted unless the Officer is satisfied that the specified animal or animal article, trophy, uncured trophy or meat, referred to in sub-rule (I) has been lawfully acquired.

(4) Where the Officer refuses to grant the permission, he shall record the reasons for

(5) Every permission granted under sub-rule (3) shall be m Form n.

4. Submission of report of stocks :-

(1) Every licensee to whom permission has been granted under sub-rule (3) of rule 3 shall submit, to the Officer who had granted the said pennission, report regarding the stocks of specified animal or animal article, trophy, uncured trophy or meat, referred to in sub-rule (1)of rule 3, in Form III within a period of ¹ [thirty days] of the acquisition, receipt, or keeping of the same in his control,

custody or possession.

(2) The Officer, after receiving such report, may arrange to affix identification marks on such stocks.

1. Subs. by Notification No. G.S.R. 712(E), dated 16th December, 1983, for "seven days".

5. Sale of specified animal, etc. :-

(1) No licensed dealer shall sell or offer for sale any specified animal or any animal article, trophy, or uncured trophy derived therefrom, except to a person authorized to purchase by a permission granted by the Officer and where the sale is effected the purchaser shall surrender the permission to the licensed dealer.

(2) Every application for permission to purchase shall be made in Form IV.

(3) On receipt of an application made under sub-rule (2), the Officer may, after making such inquiry as he may think fit, and within a period of ten days from the date of receipt of the application, either grant or refuse to grant the permission.

(4) Where the Officer refuses to grant the permission, he shall record the reasons for so doing and a copy of the reasons so recorded shall be communicated to the person applying for the permission.

(5) Every permission granted under sub-rule (3) shall be in Form V.

(6) Every permission granted under sub-rule (3) shall be valid up to a period of one month from the date of issue of the same.

(7) Every licensed dealer shall, at the time of each sale, issue a voucher in relation to the specified animal or animal article, trophy, or uncured trophy referred to in sub-rule (1), to the person authorized to purchase.

(8) Each voucher shall contain the following particulars, namely:-

(a) date of issue of voucher;

(b) the amount or price realized or to be realized;

(c) name and address of the licensed dealer issuing the voucher,

(d) name and address of the person to whom the voucher is issued;

- (e) permission number of the person authorized to purchase;
- (f) description of the specified animal/animal article/trophy/uncured trophy derived therefrom and number;
- (g) whether such specified animal/animal article/trophy/uncured trophy was/were required to be declared under section 44 of the Wild Life (Protection) Act, 1972 (53 of 1972), and if so, whether it/they has/have been declared;
- (h) signature of the licensed dealer issuing the voucher;
- (i) signature of the person to whom the voucher is issued.

6. Taxidermy or making animal article :-

- (1) Every licensed taxidermist or licensed manufacturer shall, at the time of returning the trophy or animal article, issue a voucher to the owner of the said trophy or animal article.
- (2) Each voucher shall contain the following particulars, namely:-
 - (a) date of issue of voucher;
 - (b) charges realized or to be realized;
 - (c) name and address of the licensed taxidermist/manufacturer issuing the voucher;
 - (d) name and address of the person to whom the voucher is issued;
 - (e) description of the trophy/animal article and number;
 - (f) whether uncured trophy/trophy/animal article was required to be declared under section 40 or section 44 of the Wild Life (Protection) Act, 1972 (53 of 1972), and if so, whether it/they has/have declared;
 - (g) signature of the licensed taxidermist/manufacturer issuing the voucher.

7. Maintenance of vouchers :-

- (1) The voucher referred to in rule 5 or rule 6 shall be in triplicate and serially numbered.
- (2) The duplicate and the triplicate copy of the voucher shall be retained by the licensed dealer, licensed taxidermist, or licensed manufacturer, and the original copy of the voucher shall be given

to the person referred to in sub-rule (7) of rule 5 or sub-rule (1) of rule 6.

(3) Every book containing blank vouchers shall be presented to the Officer for affixing his initials or stamps on such book before it is brought into use.

(4)

(a) Every licensed dealer, licensed taxidermist, or licensed manufacturer shall send in monthly batches, not later than the seventh day of every month, the duplicate copies of vouchers retained by him, to the Officer.

(b) Every permission surrendered to a licensed dealer at the time of sale shall also be enclosed along with the duplicate copies aforesaid.

8. Transport of specified animal, etc. :-

(1) No licensee shall transport from one place to another within the State any specified animal, animal article, trophy or uncured trophy derived therefrom, except with the previous permission of the Officer.

(2) Every application for such permission shall be made in Form VI.

(3) On receipt of an application made under sub-rule (2) the Officer may, after making such inquiry as he may think fit, and within a period of seven days from the date of receipt of the application, either grant or refuse to grant the permission: Provided that no such permission shall be granted unless the Officer is satisfied that the specified animal or animal article, trophy or uncured trophy referred to in sub-rule (1), has been lawfully acquired.

(4) Where the Officer refuses to grant the permission, he shall record the reasons for so doing and a copy of the reason so recorded shall be communicated to the licensee applying for the permission.

(5) Every permission granted under sub-rule (3) shall be in Form VII.

9. Appeal :-

(1) Any licensee or a person aggrieved by an order made by the Chief Wild Life Warden or any other officer granting the permission

under sub-rule (3) of rule 3, sub- rule (3) of rule 5 or sub-rule (3) of rule 8, may prefer an appeal,-

(i) if the order is made by an officer other than the Chief Wild Life Warden, to the Chief Wild Life Warden, or

(ii) if the order is made by the Chief Wild Life Warden, to the State Government.

(2) In the case of an order passed in appeal by the Chief Wild Life Warden under clause(i) of sub-rule (1), a second appeal shall lie to the State Government.

(3) No appeal shall be entertained unless it is preferred within fifteen days from the date of the communication to the applicant of the order appealed against: Provided that the appellate authority may admit any appeal after the expiry of the period aforesaid, if it is satisfied that the appellant had sufficient cause for not preferring the appeal intime.