

WILDLIFE (PROTECTION) (ASSAM AMENDMENT) ACT, 2009

Registered No.-768/97 THE ASSAM GAZETTE EXTRAORDINARY PUBLISHED BY THE AUTHORITY 314@'ta, 20 2010, 28 1932 No. 314 Dispur, Wednesday, 20th October, 2010, 28th Asvina, 1932 (S.E.) GOVERNMENT OF ASSAM ORDERS BY THE GOVERNOR LEGISLATIVE DEPARTMENT : : LEGISLATIVE BRANCH NOTIFICATION The 19th October, 2010 No. LGL. 107/2008/33.- The following Act of the Assam Legislative Assembly Which received the assent of the President is hereby published for general information. ASSAM ACT NO. xxxi OF 2010 (Received the assent of the President on 26th September, 2010) THE WILDLIFE (PROTECTION) (ASSAM AMENDMENT) ACT, 2009 2464 THE ASSAM GAZETTE, EXTRAORDINARY, OCTOBER 20, 2010 ACT further to amend the Wildlife (Protection) Act, 1972, application to the State of Assam. in its Whereas it is expedient further to amend the Wildlife (Protection) Central Act, 1972, hereinafter referred to as the Principal Act, in its NO• 53 Of 1972 application to the State of Assam; It is hereby enacted in the Sixtieth Year of the Republic of India as follows:- Shon title, extent and Commencement. Amendment of section 51. Insertion of section 51B "Offences to be cognizable. non bailable and triable by the Court of Sessions 1 (1) This Act may be called the Wildlife (Protection) (Assam Amendment) Act, 2009. (2) It extends to the whole of Assam. (3) It shall come into force at once

2. In the principal Act, in section 51 , in sub- section(1) , (i) In' the first proviso,- (a) in between the words "hunting in" and " a sanctuary" the words " or outside the boundary of" shall be inserted; "seven years" and "ten (b) for the words "three years", "ten years" and "fifty thousand", the words "seven years", thousand" respectively shall be substituted.(ii) in the second proviso, for the words "three years", "seven years" and "twenty five thousand", the words "ten "life imprisonment" and "seventy five thousand" years" , respectively, shall be substituted

3. In the principal Act, after section 51 A, the following new section 51 B shall be inserted, namely :
51 B (1) Every offence punishable under this Act shaz be cognizable and non-bailable within the meaning c'.the Code of Criminal Procedure, 1973 (2) Notwithstanding anything contained in the Code z-- Crimnal Procedure, 1973, no person accused c: z.: offence punishable under this Act, shall be released bail unless- ASSAM GAZETTE. EXTRAORDINARY, OCTOBER 20.2010 (a) the Public Prosecutor has been given an opportunity to oppose the for such release; and (b) where the Prosecutor opposes the application, the court is satisfied there are reasonable grounds for believing that the accused is not likely to commit any offence while on bail. (3) The offences under t—his Act shall be triable by the Court•of Sessions of the jurisdiction." MOHD. A. HAQUE, to the Govt. of Assam, Department, Dispur. GUWAHATI - Printed and Published by the Dy Director (P&S) Directorate ofPtg. and sty., Assam, Guwahati-21, (Ex-Gazette) No. 627-500+600-20-10-2010.