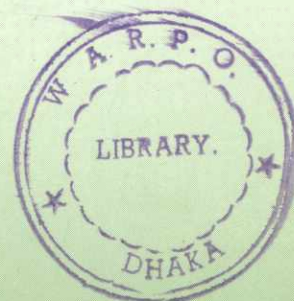


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BANGLADESH FLOOD ACTION PLAN

Ministry of Irrigation Water Development and Flood Control
Flood Plan Coordination Organization (FPCO)



An Outline of Policies and Legislation Related to Environment in Bangladesh

(54)

September 1993

Prepared by

Environmental Study

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 **ISPAN**

IRRIGATION SUPPORT PROJECT FOR ASIA AND THE NEAR EAST

Sponsored by the U.S. Agency for International Development



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GLOSSARY

Alluvion	:	Land accretion, land gained from sea or river.
Attia Forest	:	Name of a forest, covering, the greater Districts of Tangail and Dhaka.
Barga	:	Share cropping.
Bargadar	:	Share cropper.
Bigha	:	A standard bigha equals 33 decimals or about 0.13 ha.
Dereliction	:	A recession of water leaving permanently dry land.
Diluvion	:	Land lost or washed away.
Echinoderm	:	Radially symmetrical coelomata marine animals including the starfishes, sea urchins and related forms.
EPWAPDA	:	East Pakistan Water and Power Development Authority.
Hat bazar	:	Daily and weekly market.
Jalmahal	:	A water body owned by the Government, -generally leased out for a period of one to three years.
Jama	:	Account of land taxes/revenue with the Government land revenue department.
Khas land	:	Land owned by the Government under the direct control of the Ministry of Land.
Malik	:	Owner of the land, -person, organization, body or authority.
Nal land	:	Flat land under agriculture.

Chapter 1

INTRODUCTION

Policies and legislation related to environment refer to those acts, ordinances, rules and regulations, which, partly or wholly, may be used by the EIA practitioner for the following purposes:

- (i) To find out whether the project proposals are in conformity with the existing policies, laws and the rules of the land;
- (ii) To identify if any part of the project proposal is in contravention of the existing policies, laws and rules of the land;
- (iii) To advise, in case certain policies, laws and rules appear to be contradictory in respect to certain project proposals, which course of action should be best in the long term environmental interest of the nation;
- (iv) Whether any proposed action may infringe on the fundamental or traditional rights of the people;
- (v) Whether there exists relevant legislation, in force, but inoperative because of prevailing socio-economic conditions, which may be used profitably for the benefit of the environment;
- (vi) Whether there are gaps in the existing legislation for which new enactments may be necessary;
- (vii) Whether and where existing legislation needs strengthening or updating to take into account the prevailing conditions/state of the environment or environmental awareness.

The acts, ordinances, and rules listed here are not exhaustive; only the most important ones have been included. Only the aims and the major provisions of the legislation which appeared to be relevant to EIA work have been briefly mentioned. The EIA practitioner would be well advised to be aware that there may be other legislation which may have been inadvertently omitted. The practitioner should, as far as possible, read the original and authentic version of the texts of the legislation, rather than relying entirely on the present outline. The original and authentic versions are generally to be found in the Government gazette notification, the Bangladesh Code, and the publications of the relevant ministries and departments published by the Government press.

The laws we have now within the meaning of our constitution have been inherited from the past dating back to 1836. These laws have been amended and adapted from time to time. Particularly after the independence of Bangladesh, there have been extensive amendments, adaptations, and repeal of existing laws and enactment of new laws to meet the changed and changing political, social and economic needs of the new state. The date mentioned after each legislation refers to the date it was first enacted; however, all the subsequent amendments have been incorporated as far as possible. However, it is possible that some of the amendments may have been missed. The EIA practitioner, when trying to apply a particular legislation in a particular situation would need to check on the latest amendments.

There are some acts/ordinances whose provisions cut across several fields. For example the Pourashava Ordinance provides for health and sanitation, as well as parks, etc. The East Bengal Embankment and Drainage Act also provides for compensation and land acquisition under the Acquisition Act, 1894. Similarly, the Cattle Trespass Act may also be placed under the Livestock section. The Agricultural and Sanitary Improvement Act, 1920 obviously deals both with agriculture and sanitation. The EIA practitioner, once conversant with the main provisions, would, it is hoped, be able to find the relevant legislation applicable to a particular situation in question.

Legislation relating to land tenancy and other related issues are many and scattered throughout various other legislation. Only the major ones have been mentioned. The EIA practitioner is to be aware of the complexity of land issues.

Legislation in each chapter has been arranged chronologically as far as possible, without disturbing the context. The title in the parentheses following the long title of the legislation refers to the short title of the legislation concerned. In law literature the short title is generally used for easy reference.

Chapter 2

ENVIRONMENT

2.1 Environmental Policy

The chief sources of the national environmental policy of the Government of Bangladesh are:

1. Environment Policy 1992 and Implementation Program, published by the Ministry of Environment and Forest, Government of Bangladesh, on 9 May 1992 (in Bangla)
2. The Fourth Five Year Plan, 1990-95; particularly chapter IX on Environment and Sustainable Development.

These two sources are to be consulted as the official policy and program of the Government of Bangladesh regarding environment.

Following are the six general aims of the environment policy of Bangladesh as described in the Environment Policy, 1992:

- (1) To conserve and develop the environment in order to maintain and generally improve the ecological balance;
- (2) To protect the country from natural hazards;
- (3) To identify and control activities leading to pollution and degradation of the environment;
- (4) To ensure environmentally sound development in all sectors;
- (5) To ensure environmentally sustainable, long term development of national resources;
- (6) To remain actively involved, as far as possible, with all international activities related to environment.

These aims have been translated into more detailed priority objectives for different sectors. The most significant of these sectoral objectives have been summarized here.

1. **Agriculture:** Agricultural development and self sufficiency in food is to be achieved through the conservation of agriculture resource base by judicious use of appropriate development and management technology.
2. **Industries:** Adoption of appropriate pollution prevention measures in phases; banning of pollution-causing industries; encouragement of research and development in environmentally sound industrial technology; arrangement for EIA before establishment of any industry in public and private sectors.
3. **Health and Hygiene:** Promotion of public health and hygiene; incorporation of environmental thinking in the national health policy; incorporation of environmental

education in the health education curriculum; development of healthy environment in urban and rural areas and in the labor housing areas.

4. **Fuel/Energy:** Discouraging the use of pollution-causing fuels; taking precautionary measures against radioactive fuels; conservation of traditional and renewable energy sources such as wood and agricultural waste and encouragement of the use of alternative sources; arrangement for EIA prior to mining undertakings for energy and minerals.
5. **Water Development, Flood Control and Irrigation:** Environmentally sound and sustainable development and management of water development, drainage and irrigation projects involving both surface and ground water; maintaining the inland waters free from pollution; arrangement for EIA prior to implementation of water development and management projects; removal of the adverse environmental effects of previous water resources management and flood control projects.
6. **Land:** Adoption and extension of environmentally and ecologically sound land use practices and conservation of soil fertility; prevention of land erosion and strengthening of the land reclamation program; prevention of soil salinity and alkalinity.
7. **Forest, Wildlife and Biodiversity:** Forestry conservation and afforestation program in order to maintain ecological balance; conservation of wildlife and biodiversity; research program; exchange program of knowledge and experience; conservation and development of the national wetlands and the migratory bird sanctuaries.
8. **Fish and Livestock:** Protection, conservation and development of fish habitat; development of fisheries without adversely affecting the mangrove and other ecosystems; ensuring appropriate environment for livestock development; re-evaluation of those FCD/I projects found to cause adverse effects on fisheries resources.
9. **Food:** Environmentally sound practice of food production, processing, distribution and of disposal of waste food; prevention of importation of food injurious to public health and environment.
10. **Coastal and Marine Environment:** Conservation and development of coastal and marine ecosystem and fisheries resources; prevention of pollution from domestic and foreign activities; strengthening research program on coastal and marine environment; to keep the coastal and marine fish catch at the maximum sustainable level.
11. **Transportation and Communication:** Control of resource degradation and pollution from ports, dockyards, and carriers and by the passengers; to ensure that the road, rail, air and inland navigation systems do not pollute or degrade the environment; arrange EIA prior to implementation of any project related to transportation and communication.
12. **Housing and Urbanization:** Integration of environmental ideas and concepts into all planning and research regarding housing and urbanization; extension of environmentally sound physical facilities in phases into urban and rural housing areas; control over housing and urbanization that is creating both local and general adverse effect on environment; emphasizing on the role of waterbodies in the beautification of urban areas.

13. **Population:** Conservation and development of environment through the participation of women and the jobless and through human resource development; incorporation of the concept of protection and conservation of environment in population control policy and program.
14. **Education and Public Awareness:** Provision of mass education, both formal and non-formal, to create public awareness and to ensure voluntary participation of people in the conservation and long term sustainable use of resources and environment; inclusion of environmental education materials in the training of Government and non-government officers, employees, industrial and business workers.
15. **Science, Technology and Research:** The National Science and Technology Policy (1986) would incorporate:
 - a. Provisions for supervision and control of environmental pollution;
 - b. Environmental consideration in the priority sectors for research and development.
16. **Legislative Framework:** The Environmental Policy also includes provisions for updating and amendment of existing laws, particularly in the light of international laws, conventions and protocols which Bangladesh should consider to approve; enactment of new laws in whatever sector necessary, as well as ensuring enforcement of such laws for the conservation of environment and resources and control of environmental degradation and pollution.
17. **Institutional Framework:** The Policy also emphasizes on the necessity of appropriate institutional framework with defined role. A National Environment Committee, chaired by the head of the Government is to provide general guidance toward implementation of the Environmental Policy. The Ministry of Environment and Forest is to coordinate the implementation of the policies and take necessary timely steps to amend and extend the scope of the policies to answer to the future requirements of the changed socio-economic and environmental conditions of the country. The Department of Environment is to give final review of and approval to all EIA.

Implementation Program Related to Environment: In order to achieve the aims and objectives of the national environment policy, a list of definite sectoral action programs and relevant implementation authorities have been incorporated as an addendum to the policy. The sectors are the same as described in the policy section above. The implementation authorities are too numerous to mention, but include relevant ministries, departments, corporations, institutes, boards, organizations, offices and bureaus, authorities and administrators. The EIA practitioner will be well advised to consult this list of sectoral programs and implementation authorities while identifying, for example, mitigation and management programs.

2.2 The Constitution of the Peoples' Republic of Bangladesh

The constitution is, as the solemn expression of the will of the people, the supreme law of the Republic. Any other law, inconsistent with the constitution shall be void to the extent of the inconsistency.

All powers in the Republic belong to the people, and is exercised by the authority of the constitution.

Among the fundamental principles, the following are relevant to environmental concerns;

- (a) Economic and social justice,
- (b) Local Government institutions with representation to peasants, workers and women,
- (c) Participation of women in all spheres,
- (d) Ownership or control of instruments and means of production and distribution shall assume the following forms:
 - (i) State ownership on behalf of the people
 - (ii) Cooperative ownership on behalf of their members
 - (iii) Private ownership by individuals
- (e) Provision of basic necessities including food, clothing, shelter, education, medical care and employment,
- (f) Rural development, including promotion of agricultural revolution, rural electrification, development of cottage and other industries, education, communications and public health,
- (g) Conservation of national cultural traditions and heritage,
- (h) Protection of national monuments, objects or places of special artistic or historic importance or interest,
- (i) No discrimination on grounds only of religion, race, caste, sex or place of birth,
- (j) Rights to property, to acquire, hold, transfer or otherwise dispose of,
- (k) No property shall be compulsorily acquired, nationalized or requisitioned save by authority of law, and with compensation,
- (l) Property of the Republic, include, among others,
 - (i) All minerals and other things of value underlying any land of Bangladesh
 - (ii) All lands, minerals and other things of value underlying the ocean within the territorial waters or over the continental shelf of Bangladesh
 - (iii) Any property located in Bangladesh that has no rightful owner.

Chapter 3

WATER RESOURCES

3.1 The East Bengal Embankment and Drainage Act, 1952 (E.B. Act I of 1953)

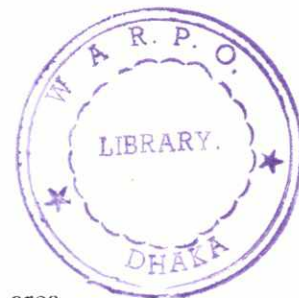
1. Aim: To consolidate the laws relating to embankment and drainage.
2. Provisions:
 - (1) Definitions include, "Authority", meaning the EPWAPDA; "embankment", "public embankment", "public water course" etc;
 - (2) Every embankment, water course etc. are vested in the Government or the Authority;
 - (3) Lands used for obtaining earth etc. prior to the Act are to be at the disposal of the Government or the Authority;
 - (4) Alteration of roads etc. interfering with drainage;
 - (5) Power of removal of houses, trees etc. in accordance with the Land Acquisition Act, 1894;
 - (6) Procedure to be followed where land likely to be benefitted or affected are located in different administrative areas of the Authority.
 - (7) Power to make repairs;
 - (8) Construction of temporary dam, roadway or water courses;
 - (9) Opening or shutting of sluices;
 - (10) Power to enter into and survey lands;
 - (11) Power to take earth etc. from land at the disposal of the Government or the Authority;
 - (12) Lands rendered permanently unfit for cultivation by any act of the Authority may be acquired under the provisions of Land Acquisition Act, 1894 or any other law for the acquisition;
 - (13) Proceedings in emergency when there may be grave danger to life and property;
 - (14) Compensation for damages if any land other than the land acquired for project is injuriously affected, or the right of fishery, right of drainage, right to the use of water, or other right of property; compensation may be claimed within two years after completion of the project.

- (15) Matters to be considered in determining compensation;
- a. The market value of the property or the right affected;
 - b. The damage sustained;
 - c. The consequent diminution of the market value or right;
 - d. Whether any other benefit has been derived from the same project.
- (16) Penalty, including fine and imprisonment, for:
- a. Obstructing persons in exercise of powers under this Act;
 - b. Unauthorized interference in and abetment of any work in exercise of powers under this Act;
 - c. For injuring embankment etc;
 - d. Diverting rivers or grazing on embankments;

**3.2 The East Pakistan Water and Power Development Authority Ordinance 1958
(E.P. Ordinance I of 1959)**

1. Aim: To make provisions for setting up of an Authority for the unified and coordinated development and utilization of the water and power resources.
2. Provisions:
 - (1) General powers and duties of the Authority, including framing a comprehensive plan,
 - (2) Frame scheme/s for construction of dams, barrages, reservoirs, irrigation, embankment and drainage, etc.,
 - (3) Flood control including watershed management,
 - (4) Dredging for maintenance, improvement and extension of channels,
 - (5) Regulation of channels to concentrate rivers flow for more efficient movement of water, silt and sand,
 - (6) Scheme framed by any other agency exceeding prescribed amount in cost is to be approved by the Authority,
 - (7) Survey and experiments,
 - (8) Control over the flow of water in all rivers and channels, subject to the provisions of any other law, private rights and underground water resources,

- (9) Prescriptions of standards for operation and maintenance of irrigation, embankment and drainage works,
- (10) Acquire land by purchase, lease, exchange etc.,
- (11) Direct owners of private lands to carry out
 - a. River training
 - b. Anti - erosion operation,
- (12) Restrict or prohibit clearing and breaking up of land in the catchment area,
- (13) Arrangement with local authority or other agency to take over and maintain any of the works done by the Authority.



3.3 The Bangladesh Water and Power Development Boards Order, 1972 (Presidents Order No.59 of 1972)

1. Aim: To provide for the constitution of a Water Development Board and a Power Development Board to replace the East Pakistan Water and Power Development Authority.
2. Provisions:

This order repealed the East Pakistan Water and Power Development Authority Ordinance, 1958, but the provisions under that ordinance remained unchanged. The following changes were made:

- (i) In place of the erstwhile the East Pakistan Water and Power Development Authority, two Boards are created, namely, the Bangladesh Water Development Board, and the Bangladesh Power Development Board.
- (ii) Functions of the Bangladesh Water Development Board, in addition to those under the previous ordinance, were enlarged to include:
 - (a) Prevention of salinity and water congestion;
 - (b) Reclamation of land;
 - (c) Prescription of simplified methods of charges for the supply of water and standardization of water supply;
 - (d) Seek and obtain advice and assistance in the preparation or execution of a scheme from any local authority or agency.

3.4 The Bangladesh Irrigation Water Rate (Amendment) Act. 1990

1. Aim: To impose irrigation water rate.
2. Provisions:
 - 2.1 Water rate for agricultural land for any area supplied with water by the Government or its agencies;
 - 2.2 Water rate may vary from area to area and year to year;
 - 2.3 Remission in case of crop failure.

Chapter 4

AGRICULTURE

4.1 The Agricultural and Sanitary Improvement Act, 1920 (Bengal Act VI of 1920)

1. Aim: To consolidate and amend the law relating to the construction of drainage and other works for the improvement of the agricultural and sanitary conditions of areas except the municipalities of Bangladesh which are under the Municipal Administration, except, if any scheme jointly affects areas both inside and outside the municipal area, then the provisions of this Act will apply.
2. Provisions:
 - 2.1 Definitions, including "major schemes", "minor schemes", etc.
 - 2.2 Procedure to be followed when an application is received for undertaking any work for the improvement or for the prevention of the deterioration of the agricultural or sanitary conditions of any area;
 - 2.3 Committee to consider the major schemes;
 - 2.4 Compulsory acquisition of land needed for the purpose;
 - 2.5 Power to enter into or upon land to carry out necessary work;
 - 2.6 Preparation of detailed statement of cost and amount recoverable from persons within the area;
 - 2.7 Consideration of objections by persons not benefitted by the improvement, or on the basis of any material error in regard to the estimates of costs and benefits;
 - 2.8 Compensation for consequential damage; limitation of claim, and procedures for determining compensation;
 - 2.9 Matters to be considered in determining compensation:
 - a. The market value of the property or right affected;
 - b. The damage sustained by the claimant;
 - c. The consequent diminution of the market value of the property or right;
 - d. Whether any benefit has been derived or will be derived and if so, estimated value of such benefit against the compensation;

- 2.10 Drainage works subject to laws for the time being in force relating to construction and maintenance of public embankments, rivers, channels and outlets;
- 2.11 Responsibility for maintenance work;
- 2.12 Penalty for constructing wires etc.; obstructing public drainage.

4.2 The Agricultural Pesticides Ordinance 1971 (Ordinance No. II of 1971)

4.3 The Agricultural Pesticides (Amendment) Act (Act V of 1980)

- 1. Aim: To regulate the import, manufacture, formulation, sale, distribution and use of pesticides and related matters.
- 2. Provisions:
 - 2.1 Definitions include among others, "adulterated", "fungi", "ingredient", "insect", "pesticide", "weed" etc.;
 - 2.2 Registration procedures for import, manufacture, formulation, sale etc.;
 - 2.3 Prohibition of importation under certain conditions;
 - 2.4 Labelling of packages and pricing;
 - 2.5 The Pesticide Technical Advisory Committee and its functions;
 - 2.6 Pesticide laboratory, analysis, inspection etc.;
 - 2.7 Offenses and penalties.

4.4 The Seeds Ordinance, 1977 (Ordinance No. XXXIII of 1977)

- 1. Aim: To regulate the quality of certain seeds for sale and for related matters.
- 2. Provisions:
 - 2.1 Definitions, include "seeds", meaning,
 - i) Seeds of food crops including edible oil seeds and seeds of fruits and vegetables;
 - ii) Jute seeds;
 - iii) Cotton seeds;
 - iv) Seeds of cattle fodder;

and includes seedlings, and tubers, bulbs, rhizomes, root cuttings all types of grafts and other vegetatively propagated materials of food crops or cattle fodder.

- 2.2 Powers to specify minimum limit of germination and purity etc.;
- 2.3 Regulation of sale of seeds of notified kinds or varieties;
- 2.4 Seed certification agency;
- 2.5 Seed analyst and seed inspector with specified powers and defined areas, as well as specified procedure;
- 2.6 Import and export of seeds conforming to the minimum limits of germination and purity.

4.5 The Pesticide Rules, 1985

1. Aim: To provide for rules for the operation of the Pesticides Ordinance 1971 (Ordinance No.II of 1971)
2. Provisions:
 - 2.1 Detail rules for registration of pesticides;
 - 2.2 Rules for import;
 - 2.3 Rules for licenses and fees;
 - 2.4 Detail functions of the Advisory Committee on pesticide;
 - 2.5 Rules for packaging and labelling;
 - 2.6 Qualifications, powers, duties and rules or procedures for inspector;
 - 2.7 Rules for transport and storage;
 - 2.8 Rules regarding facilities during manufacture etc.;
 - 2.9 Rules for safety precautions.
3. Schedule II provides:
 - (a) A list of insect, mite, vertebrate and snail pests of different crops and forests etc.;
 - (b) A list of important plant diseases and nematodes;
 - (c) A list of veterinary pests;
 - (e) A list of public health pests.
4. Schedule II provides a list of poisons and pesticides.
5. Schedule IV provides description of symptoms of poisoning, first aid and antidotes.

Chapter 5

FORESTRY

5.1 The Cattle Trespass Act, 1871 (Act No.I of 1871)

1. Aim: To consolidate and amend the law relating to trespasses by cattle.
2. Provisions:
 - 2.1 Definition of "cattle", which also includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats, and kids;
 - 2.2 Establishment of pounds;
 - 2.3 Control of pounds, rates of charge for feeding impounded cattle;
 - 2.4 Appointment and duties of pound - keepers.
 - 2.5 Impounding cattle in cases when:
 - 2.5.1 Cattle damaging land;
 - 2.5.2 Cattle damaging public roads, canals and embankments.
 - 2.6 Delivery of cattle on payment of fine or sale of cattle.

5.2 The Forest Act, 1927

5.3 The Sylhet Forest Transit Rules, 1951

5.4 The Chittagong and Chittagong Hill Tracts Reserved Forest Fire Protection Rules, 1958

5.5 The Attia Forest (Protection) Ordinance, 1982

1. Aims
 1. Consolidate the law relating to forests, the transit of forest produce and the duty leviable on timber and other forest-produce.
 2. The Sylhet forest transit rules to control transit of timber and other forest produce from (i) reserved forest, (ii) unclassified state forest i.e. Government land not notified as reserved forest and (iii) private lands.
 3. To provide fire protection to the reserved forest of Chittagong and Chittagong Hill Tracts.

4. Protection of Attia forest of Dhaka and Tangail.
-
2. Provisions
 1. Definition of forest produce when found/brought from a forest, to include: timber, charcoal, caoutchouc, catechu, wood oil, resin, natural varnish, bark, lac, mahua flowers, mahua seeds, kuth, myrabolam, trees, leaves, flowers, fruits and all other parts of trees, plants not being trees, (grass, creepers, reeds and moss) and the parts and produce of such plants; wild animals and skins, tusks, horns, bones, silk, cocoons, honey and wax, and all other produce of animals; peat, surface soil, rock, and minerals (including limestone, laterite, mineral oils, and all products of mines and quarries.
 2. Power to constitute reserve forests: forest land; Government waste-land; and whole or part of forest produce to which the Government is entitled.
 3. Treatment of claims relating to shifting cultivation in the reserved forests.
 4. Treatment of other claims in/on reserved forest.
 5. Activities prohibited in the reserved forest:
 - (i) Fresh clearing without permission in accordance with rules;
 - (ii) Setting/kindling/carrying/keeping fire without permission;
 - (iii) Trespasses, of persons and cattle, or grazing of cattle;
 - (iv) Clearing for cultivation;
 - (v) Unlawful methods of felling;
 - (vi) Quarrying etc.;
 - (vii) Hunting, shooting, fishing, poisoning of water, setting traps or snaring;
 6. Penalties, including fines, imprisonment, and compensation for damage done.
 7. Formation and management of village forests out of reserved forest.
 8. Protected forest: Government may declare any forest land or waste-land, not included under reserved forest, as protected forest.
 9. Declaration of trees or classes of trees within protected forest as reserved.
 10. Closure of part of the protected forest for a period not exceeding thirty years.
 11. Prohibit quarrying, burning of lime or any such manufacturing process, removal of forest produce, clearing for cultivation, herding cattle etc.
 12. Power to make regulatory rules for the protected forests.
 13. Penalties, including imprisonment and fine.
 14. Duty on timber and other forest produce.

15. Control of timber and other forest produce in transit, including the control of all rivers and their banks for floating of timber, routes by which timbers may be moved etc.
16. Prohibition of obstruction of channel or banks of any river used for transit of timber.
17. Collection of timber adrift, beached, stranded or sunk.
18. Prohibit cattle trespass within the meaning of the Cattle Trespass Act, 1871 and such cattle may be seized or impounded.
19. Declaration of Attia forest as reserved forest and abatement of all legal proceedings with respect to the forest.

Chapter 6

LIVESTOCK

6.1 The Livestock Importation Act, 1898 (Act.No. IX of 1898)

1. Aim: To make better provision for the regulation of the importation of livestock.
2. Provisions:
 - 2.1 Definitions, including, among others, "infections or contagious disorder" and "livestock."
 - 2.2 Power of the Government to regulate importation of livestock.

6.2 The Glanders and Farcy Act, 1899 (Act No.XIII of 1899)

1. Aim: To consolidate and amend the law relating to Glanders and Farcy.
2. Provisions:
 - 2.1 Appointment of inspectors;
 - 2.2 Power of entry, search and seizure;
 - 2.3 Horses (including camels, asses and mules) to be examined by veterinary practitioner;
 - 2.4 Horses (including camels, asses, and mules) to be destroyed if found diseased;
 - 2.5 Prohibition against removal, without license, of horse which has been with diseased horse(s);.
 - 2.6 Penalties.

6.3 The Cruelty to Animals Act, 1920 (Bengal Act I of 1920)

1. Aim: Consolidate and amend the law relating to the prevention of cruelty to animals in Bangladesh.
2. Provisions:
 - 2.1 Definition of animal, which includes both domestic and capture.
 - 2.2 Description of offenses which include:
 - a. Overdriving, cruelty or unnecessary beatings;

- b. Binding, keeping or carrying animals in manners causing unnecessary pain or suffering;
- c. Offering, exposing or possessing for sale any live animal suffering pain because of mutilation, starvation, thirst, overcrowding etc.

2.3 Penalty for various offenses.

Chapter 7

LANDS AND SOILS

7.1 The Bengal Alluvion and Diluvion Act, 1847 (Act IX of 1847)

1. Aim: The assessment of lands gained from the sea or from rivers by alluvion or dereliction
2. Provisions:
 - 2.1 Power to direct new surveys, within ten years from the previous survey, of lands on the banks of rivers and on the shores of the sea, in order to ascertain the changes that may have taken place since the previous survey, and to cause new maps to be made according to such new survey.
 - 2.2 Deduction from Jama of estates from which lands have been washed away.
 - 2.3 Assessment of land reformed on original site.
 - 2.4 Assessments of increments to revenue paying estates, including progressive assessment.

7.2 The Bengal Alluvion (Amendment) Act, 1868 (Bengal Act IV of 1868)

1. Aim: To amend the provisions of Act IX of 1847.
2. Provisions:
 - 2.1 Accessions to island considered increment thereto.
 - 2.2 Newly thrown up islands to be taken immediately and assessed by the revenue authorities.
 - 2.3 Subsequent junction to mainland to the property of any person not to affect Government right.
 - 2.4 Any person having an interest may apply for ways across islands.
 - 2.5 Procedures for constructing such ways, paths and roads.
 - 2.6 Every way, road or path laid out under above provisions shall be deemed public highway.

7.3 The Bengal Alluvial Lands Act, 1920 (Bengal Act V of 1920)

1. Aim: To prevent disputes concerning the possession of certain lands gained by alluvion, or by dereliction of a river or the sea.

2. Provisions:

- 2.1 Definitions, include "alluvial land" meaning land which is gained from a river or the sea in any of the ways referred to in the Bengal Alluvion and Diluvion Regulation 1825, the Bengal Alluvion and Diluvion Act, 1847, or the Bengal Alluvion (Amendment) Act, 1868 and includes reformatations *in situ*.
- 2.2 Power of the collector or S.D.O. or any officer empowered, to attach and demarcate such lands.
- 2.3 Management of such land, either directly by the empowered officer or through a receiver.
- 2.4 Settlement or resettlement of such land, with preference to the person having right to immediate possession under Bengal Tenancy Act, 1885.
- 2.5 Collector to cause survey to be made.
- 2.6 Preparation of list of claimants in prescribed manner.

7.4 The East Bengal Building Construction (Amendment) Act. 1952 (E.B. Act II of 1953)

7.5 The Building Construction (Amendment) Act. 1990.

- 1. Aim: To prevent haphazard construction of buildings and excavation of tanks and cutting of hills which are likely to interfere with planning.
- 2. Provisions of environmental concern:
 - 2.1 Definitions, which includes, "building", "hill", "tank";
 - 2.2 Restriction on construction of unauthorized buildings;
 - 2.3 Restrictions on unauthorized excavation or re-excavation of any tank;
 - 2.4 Bar on unauthorized cutting or razing any hill;
 - 2.5 Conditions under which cutting of hill may be allowed:- will not cause serious damage to any hill, building or structure; cause any silting of or obstruction to any drain, stream or river.

Chapter 8

FISHERIES

- 8.1 The Private Fisheries Protection Act, 1889(Bengal Act II of 1889)
 - 8.2 The Tanks Improvement Act, 1939
 - 8.3 The East Bengal Protection and Conservation of Fish Act, 1950 (East Bengal Act XVIII of 1950)
 - 8.4 The East Bengal Protection and Conservation of Fish (Amendment) Act, 1963 (E.P. Act 11 of 1964)
 - 8.5 The Protection and Conservation of Fish Rules, 1985
 - 8.6 The Protection and Conservation of Fish (amendment) Ordinance, 1982
 - 8.7 The Marine Fisheries Ordinance, 1983
1. Aims
 1. Protection and conservation of fisheries.
 2. Protection of private rights of fishery.
 3. Management, conservation and development of marine fisheries.
 2. Provisions:
 1. A wider definition of "fish", which includes at all stages of their life history:
 - a. Bony fish
 - b. Shell fish
 - c. Tortoise, turtles
 - d. Prawn, shrimp
 - e. Amphibians
 - f. Crustacean animals
 - g. Mollusc
 - h. Echinoderms
 - i. Frogs
 2. Rules to apply to any water/s,- but to private water/s with written consent of the owner;
 3. Prohibition and/or regulation of fishing methods, gears, engines, explosives, gun, poison, pollution;

4. Prescribe and/or prohibit seasons of fishing by species, the minimum size (except for pisciculture);
5. Penalties, including seizure, removal, forfeiture, fine and imprisonment;
6. Prohibition of catching of carp fishes in certain waters during certain seasons (Appendix I);
7. Prohibition of catching and sale of certain species of fishes of certain size in certain seasons (Appendix II);
8. Prohibition on catching, carrying, transporting, offering or possession of frogs, dead or alive;
9. Direction to the owner of derelict tank to improve the tank for pisciculture and irrigation, failing which the Government may take possession of the derelict tank and carry out improvement or authorize local authority, cooperative or a person to carry out improvement;
10. Definition of private water/s:
 - (i) Exclusive property of any person,
 - (ii) In which any person has an exclusive right of fishery, and in which fish have means of ingress and egress,
 - (iii) Navigable river excluded.
11. Rights of fishing in private water by all modes of fishing protected.
12. Penalties, e.g. forfeiture, removal, fine.
13. The Bangladesh Marine Fisheries Ordinance, 1983 defines "Bangladesh Fisheries Waters" as the Territorial Waters and Economic Zone of Bangladesh as declared by the Government under the "Territorial Waters and Maritime Zones Act, 1974, (Act.XXVI of 1974)
14. Provisions under the ordinance:
 - 14.1 General provisions for governing licenses, particularly, the license specifies:
 - (i) Area and period;
 - (ii) Species, size, sex, age, quantities of fish that may be caught;
 - (iii) Fishing method;
 - (iv) Type, size and amount of fishing gear;
 - (v) Terms and conditions for foreign fishing;
 - (vi) Registration of fishing vessels;
 - (vii) Provides for mesh size of nets and provides for deterrent fine;
 - (ix) Provides for Marine Reserves, any Bangladesh fisheries waters in order to afford:

- a. Protection to the aquatic flora and fauna, natural breeding grounds and habitats of aquatic life, with particular regard to flora and fauna in danger of extinction;
- b. To allow for the natural regeneration of aquatic life in areas where such life has been depleted;
- c. To promote scientific study and research in respect of such areas;
- d. To preserve and enhance the natural beauty of such areas;
- (x) Fishing, dredging, creating pollution, disturbance etc. prohibited in marine reserves;
- (xi) Provides for powers of authorized officers;
- (xii) Offenses, and legal procedures and penalties/ punishment.

8.8 The East Pakistan Fisheries Development Corporation Ordinance, 1964 (E.P. Ordinance No.IV of 1964)

1. Aim: To establish a corporation for the purpose of development of fishing industry and certain other related/connected matters.
2. Provisions:
 - (i) "Fish" means any species of fish or aquatic animals including whales, seals, tortoises, turtles, shell fish, oysters, crustaceans, ascidians and the spawn and eggs of such animals or plants grown either in salt water or fresh water.
 - (ii) "Fishing industry" means capturing, distribution and marketing of fish, and includes processing, manufacture and disposal of fish by-products, construction of fishing craft and gear and establishment and operation of fish terminals.
 - (iii) Functions of the corporation, which includes, (a) measures for the development of fisheries in the coastal waters, estuaries and territorial waters in the Bay of Bengal (b) establish fishing industry (c) establish and promote better organization for exploitation of fish wealth (d) processing, distributing and marketing of fish and fish products (e) loans to fishing industries and fish cooperatives, (f) establishment of fishermen's cooperatives and colonies (g) undertake survey and investigation of the fish resources of the coastal water estuaries and territorial waters (h) establish training and research institutes.

Appendix I

CATCHING OF CARP FISHES PROHIBITED IN CERTAIN WATERS DURING SPECIFIED SEASONS

Sl. No.	Name of the river, canal, etc	Period
1	2	3
1	River Kushiara from the Fenchuganj railway bridge up to village Lama Gangapur, Upazila/ Thana Fenchuganj, District Sylhet.	From 1st April to 30th June in any year.
2	River Kushiara from its junction with Lula canal up to village Kakordi, Upazila/Thana Beanibazar, District Sylhet.	Ditto.
3	Lula canal from its junction with Kushiara river up to its junction with Hakaluki haor, Upazila/Thana Fenchuganj, District Sylhet.	Ditto.
4	Karchar Dala (flowing from the river Kalni also known as Beramohana) from village Karacha to Makalchandi haor, Upazila/Thana Baniachang, District Habigonj.	Ditto.
5	Chaire khal (flowing from the river Kalni also known as Beramohana) from village Karacha to Makalchandi haor, Upazila/Thana Baniachang, District Habigonj	Ditto.
6	Bahushiar Dala (flowing from Bibiana) from village Bahusha up to Mekar haor, Upazila/ Thana Nabiganj, District Habigonj.	Ditto.
7	Fatepur khal (flowing from the river Shaka Kushiara) from village Fatepur up to Ghardiar Beel, Upazila/Thana Ajmirigonj, District Habigonj.	Ditto.
8	River Surma from its junction with Madhabpur khal to its junction with Chengar khal at the southern boundary of the village Parkal, Upazila Chhatak, District Sunamgonj.	Ditto.
9	River Surma from village Karirgaon up to the Chhatak Thanaghat, Upazila/Thana Chhatak, District Sunamgonj.	Ditto.

1	2	3
10	River Surma from its junction with Poinda river at the southern border of the Poinda village up to its junction with Rakiti River, Upazila/Thana Sunamgonj, District Sunamgonj.	Ditto.
11	River Peain from its junction with Surma river up to village Pedar, Upazila/Thana Chhatak, District Sunamgonj.	From 1st April to 30th June in any year
12	River Garakhal from its junction with river Peain up to its junction with Kurdhara, Upazila/Thana Chhatak, District Sunamgonj.	Ditto.
13	River Kataganj from its junction with river Peain up to its junction with Dala Dhalarmukh, Upazila/Thana Chhatak, Sunamgonj.	Ditto.
14	River Halda from its mouth in the river Karnaphuli near Kalurghat bridge up to Sadarghat ferry, Upazilas/Thanas Panchlaish, Hathazari and Raozan, District Chittagong.	From 15th March to the 30th June in any year.
15	The undernoted channels flowing from the River Halda, within the jurisdiction of Hathazari and Raozan Upazilas/-Thanas, District Chittagong:	Ditto.
	(1) Krishnakhali	
	(2) Khondakia khal	
	(3) Katakhal	
	(4) Madari khal	
	(5) Kumira khal	
	(6) Fragabalia khal	
	(7) Fatikka khal	
	(8) Khandarali khal	
	(9) Chengkhali khal	
	(10) Bazzakhali khal	
	(11) Daccakhali khal	
	(12) Mogdair khal	
	(13) Kagutia khal	
	(14) Sonai khal	

1	2	3
16	River Bengali (lower portion of which is locally known as Fuljore) from the northern extremity of village Chaknanda, Upazila/Thana Sariakandi, District Bogra, up to the southern extremity of village Simalbari, Upazila/Thana Sherpur, District Bogra.	From 1st April to 30th June in any year
17	River Karatoa (locally known as Fuljore) from the border of Sirajgonj District up to river Baral, bounded on the north by the eastern extremity of village Chandaikona, Upazila/Thana Raigonj, District Sirajgonj and on the south by the southern extremity of village Dombaria, Upazila/Thana Shahzadpur, District Sirajgonj.	From 1st May to 31st July in any year.
18	River Ichamati from the border of Sirajgonj District up to river Karatoa bounded on the north by the northern extremity of village Brahmagacha and on the south by the southern extremity of village Nalka, Upazila/Thana Raiganj, District Sirajgonj.	Ditto
19	River Tista from Tista railway bridge near Kaunia railway junction up to Chilmari, Upazila/Thana Chilmari, District Kurigram.	From 15th May to 15th July in any year.
20	River Jumna falling in the Districts of Bogra, Gaibandha, Pabna and Sirajgonj.	From 1st April to 31st July in any year.
21	River Brahmaputra falling in the District of Kurigram.	Ditto.
22	The canal known as Delbasania and Gazari khal from its mouth at Putimari river up to Bachadighi at Badekarapara in Bagerhat District.	From 1st October to 31st March in any year.
23	Gaguria khal from its origin from river Jumna up to river Bengali bounded on the east by the eastern boundary of village Simulbari and on the west by the northern extremity of village Sariakandi, Upazila/Thana Sariakandi, District Bogra.	From 1st April to 30th June in any year.

1	2	3
24	Belai khal between rivers Jamuna and Bengali bounded on the east by the eastern boundary of village Pakuria and on the west by the northern boundary of village Chhagaldhara, Upazila/Thana Sariakandi, District Bogra.	Ditto.
25	River Bengali from Maliandaha, Upazila/Thana Shaghata, District Gaibandha up to the border of Bogra District.	From 1st May to 31st July in any year.
26	River Haldia from village Gopinathpur up to Maliandaha ghat, Upazila/Thana Shaghata, District Gaibandha.	Ditto.
27	River Baral from its origin in the river Padma up to the railway bridge near Arani railway station in the District of Natore.	From 15th May to 31st July in any year.

Appendix II

SALE OF FISH OF CERTAIN SPECIES AND SIZE PROHIBITED DURING SPECIFIED PERIODS

Sl. No.	Species of fish	Size	Period
1	2	3	4
1	Carps, i.e. Catla, Rui, Mrigal, Kalbaush and Ghania.	Below 23(twenty-three) centimeters in length.	Between July Decem-ber each year.
2	Hilsha (popularly known as Jatka in some parts of Bangladesh).	Ditto	Between November and April each year.
3	Pungas	Ditto	Ditto.
4	Silon	Below 30 (thirty) centime-ters in length.	Between February and June each year.
5	Bhola	Ditto	Ditto.
6	Aor	Ditto	Ditto.

Chapter 9

WILDLIFE

9.1 Bangladesh Wild Life (Preservation) (Amendment) Act, 1974 (President's order No.23 of 1973)

1. Aim: Preservation, conservation and management of wild life in Bangladesh; and to consolidate the provisions of the Elephant Preservation Act, 1879, the Wild Birds and Animals Protection Act, 1917 and the Bengal Rhinoceros Preservation Act, 1932.
2. Provisions:
 - a. Three lists or categories, separated into three schedules:
 - i. The wild animals specified in the part I of First Schedule shall be known as "game animals", and may be hunted, killed or captured on ordinary game hunting license. The list includes Mammals, Reptiles and Birds (Appendix-III).
 - ii. Part II of the First Schedule lists Mammals, Reptiles and Birds for the hunting of which special permit is required (Appendix-IV).
 - iii. The Second Schedule lists animals, trophies or meat of animals for the possession, transport or import of which a certificate of lawful possession is required (Appendix-V).
 - iv. The Third Schedule lists animals which are protected, i.e. not to be hunted, killed or captured, and includes Mammals, Reptiles, and Birds (Appendix-VI).
 - b. Restrictions on import and export of wild animals, trophies and meat of wild animals.
 - c. Declaration of an area as wild life sanctuary, national park.
 - d. Deterrent punishment if provisions are violated.
 - e. The constitution of a Board called "The Bangladesh Wild Life Advisory Board".
 - f. Officers to execute duties assigned/provided under the order.

Appendix III

LIST OF WILDLIFE THAT MAY BE HUNTED ON AN ORDINARY GAME HUNTING PERMIT.
(The original list provides Bangla name for most, but not all the species)

*English Name**Scientific Name***CRUSTACEANS**

Crab

*Brachyura***AMPHIBIANS**
RANIDAE

Indian Bull Frog
Green Frog
Cricket Frog

Rana tigrina
Rana hexadactyla
Rana Limnocharis

REPTILES
CHELONIA

Flap Shelled Spotted
Turtle
Roofed Turtle
Clawtailed Turtle

Lissemys punctata
punctata.
Kachuga tecta tecta
Testudo elongata

BIRDS
ANATIDAE

Pintail
Shoveller
Wigeon
Gadwall
Grey Leg Goose
Bar headed Goose
Baer's Pochard
Common Pochard
Lesser Whistling Teal
Rederested Pochard
Brahminy Duck

Anas acuta
Anas clypeata
Anas penelope
Anas strepera
Anser anser
Ansar indicus
Aythya baeri
Aythya ferina
Dendrocygna javanica
Netta rufina
Tedorna ferruginea

<i>English Name</i>		<i>Scientific Name</i>
	ARDEIDAE	
Pond Heron or Paddy Bird		<i>Ardeola grayii</i>
Cattle Egret		<i>Bubulcus ibis</i>
Little Egret		<i>Egretta garzetta</i>
	CHARADRIIDAE	
Pintail Snipe		<i>Gallinago stenura</i>
Little ringed Plover		<i>Charedrius dubius</i>
Curlew		<i>Numenius arquata</i>
Eastern Golden Plover		<i>Pulvialis dominica</i>
Grey Plover		<i>Pulvialis squatorola</i>
Common Sandpiper		<i>Tringa hypoleucos</i>
Greenskank		<i>Tringa nebularia</i>
Green Sandpiper		<i>Tringa ochropus</i>
Marsh Sandpiper		<i>Tringa stagnatilis</i>
Greyheaded Lapwing		<i>Venellus cinereus</i>
	PODICIPEDIDAE	
Little Grebe		<i>Podiceps ruficollis</i>
	THRESKIORNITHIDAE	
Spoon Bill		<i>Platalea leucordia</i>
	MAMMALS	
	CARNIVORA	
Fox		<i>Vulpes bengalensis</i>
	LAGOMORPHA	
Rufous tailed Hare		<i>Lepus nigricollis</i>
	ARTIODACTYLA	
Wild Boar		<i>Sus scrofa</i>

Appendix IV

LIST OF WILD LIFE FOR THE HUNTING OF WHICH A SPECIAL PERMIT IS REQUIRED

<u>Name of animals</u>	<u>Season when hunting is permitted</u>	<u>Localities where hunting is permitted</u>
Mammals, Reptiles, and Birds population, increase of which threatens the balance of nature of a particular locality or becomes a threat to public life (as in cases of man-eating tigers, rogue elephants, etc.)	As declared by the Chief Wild Life Warden from time to time.	In place as declared by the Chief Wild Life Warden.

Appendix V

WILD ANIMALS, TROPHIES OR MEAT FOR WHICH A CERTIFICATE OF LAWFUL POSSESSION IS REQUIRED

- (1) Any live protected animal or game animal.
- (2) Any trophy or meat derived from a protected animal.
- (3) Horns and tusks, etc., of deer, sambar, bison, gayal, gaur and elephants.
- (4) Skins of bear, otter, tiger, leopard, jungle cat, lizard, deer, sambar pangolin, crocodile and python.

Appendix VI

PROTECTED ANIMALS

1. All reptiles, birds and mammals when immature or not fully grown (except poisonous snakes, rats, mouse, fruit bats, pipistrelles, etc., which endanger public life.)
2. All female game animals when,-
 - (a) Pregnant;
 - (b) In a condition that indicates they are suckling or feeding young;
 - (c) Accompanied by their immature offspring.
3. All females of animals as per part II of the First Schedule (except when declared as in case of a man-eating tigress, rogue elephant, etc.).

4. All individuals of the following species or sub-species of reptiles:

English Name

Scientific Name

CHELONLIA

Hamilton's Terrapin
Bengal eyed Terrapin
Three keeled land Tortoise
Black Mud Turtle/
Bostani Turtle.
Ganges Soft-shell Turtle
Peacock Soft-shell Turtle

Dominia hamiltoni
Morenia ecallata
Malanochelys tricarinata

Trionyx nigricans
Trionyx gangeticus
Trionyx hurum

SQUAMATA

Hocknosed Sea Snake
Rock Python
Raticulated Python
Diad's Worm Snake
Merton's Tokay/Wall Lizard
Bangal, Grey Lizard
Yellow, Common Lizard
Ring, Monitor Lizard
Black Lizard

Enhydrina schistosa
Python molurus
Python raticulatus
Typhlina diardi
Gecko gecko azheri
Varanus bengalensis
Varanus flaviscens
Varanus salvator
Varanus nebulosus

CROCODYLIA

Gharial
Estuarine Crocodile
Mugger/Marsh Crocodile

Gavialis gangeticus
Crocodylus porosus
Crocodylus palustris



5. All individuals of the following species of birds;

*English Name**Scientific Name**ACCIPITRIDAE*

Skikra	<i>Accipiter badius</i>
Crested Goshawk	<i>Accipiter trivirgatus</i>
Imperial Eagle	<i>Aquila heliaca</i>
Lesser Spotted Eagle	<i>Aquila pomarina</i>
Tawny Eagle	<i>Aquila rapax</i>
Blyth's Baza	<i>Aviceda jerdoni</i>
White-eyed Buzzard Eagle	<i>Butastur teesa</i>
Short Toed Eagle	<i>Circaetus gallicus</i>
Marsh Harrier	<i>Circus aeruginosus</i>
Pale Harrier	<i>Circus macrourus</i>
Pied Harrier	<i>Circus melanoleucos</i>
Montagu's Harrier	<i>Circus pygargus</i>
Eastern Marsh Harrier	<i>Circus spilonotus</i>
Black Winged Kite	<i>Elanus caeruleus</i>
Laggar Falcon	<i>Falco biarmicus</i>
Shahin Falcon	<i>Falco peregrinator</i>
Eastern Peregrine Falcon	<i>Falco peregrinus</i>
Oriental Hobby	<i>Falco severus</i>
Kestrel	<i>Falco vespertinus</i>
White Backed Vulture	<i>Gyps bengalensis</i>
White Bellied Sea-eagle	<i>Haliaeetus leucogaster</i>
Pallas's Fishing Eagle	<i>Haliaeetus leucoryphus</i>
Bhahminy Kite	<i>Haliastur indus</i>
Booted Hawk Eagle	<i>Hieraetus pennatus</i>
Grey Headed Fishing Eagle	<i>Ichthyophaga icathyaetus</i>
Black Eagle	<i>Ictinaetus malayensis</i>
Rufous Bellied Hawk Eagle	<i>Hieraetus kienerii</i>
White Legged Falconet	<i>Microhierax melanoleucos</i>
Pariah Kite	<i>Milvus migrans</i>
Osprey	<i>Pandion haliaetus</i>
Indian Honey Buzzard	<i>Pernis ptilorhyncus</i>
Crested Serpent Eagle	<i>Spilornis cheela</i>
Changeable Hawk Eagle	<i>Spizaetus cirrhatus</i>
Crested Hawk Eagle	<i>Sarcogyps calvus</i>
Black or king Vulture	

ALAUDIDAE

Eastern Skylark	<i>Alauda Gulgula</i>
Humes Short-toed Lark	<i>Calandrella acutirostris</i>
Ashy Crowned Finch Lark	<i>Eremopterix grisea</i>
Red Winged Bush Lark	<i>Mirafra erythroptera</i>
Singing Winged Bush Lark	<i>Mirafra assamica</i>

English Name

Scientific Name

ALCEDINIDAE

Common Kingfisher
 Blyth's Kingfisher
 Blue-eared Kingfisher
 Three Toed Kingfisher
 Greater Pied Kingfisher
 Lesser Pied Kingfisher
 Ruddy Kingfisher
 White Collared Kingfisher
 Black Capped Kingfisher
 White Breasted Kingfisher
 Brown Winged Kingfisher
 Storkbilled Kingfisher

Alcedo atthis
Alcedo hercules
Alcedo meninting
Ceyx erithacus
Ceryle lugubris
Ceryle rudis
Halcyon coromanda
Halcyon chloris
Halcyon pileata
Halcyon smyrnensis
Pelargopsis amauroptera
Pelargopsis capensis

ANATIDAE

Common Teal
 Spotbill or Grey Duck
 Mallard
 Blue Winged Teal/Garganey
 Forest Bean Goose
 Tufted Duck
 White Winged Wood Duck
 Large Whistling Teal
 Cotton Teal
 Pink Headed Duck
 Mukta or Comb Duck
 Shell Duck

Anas crecca
Anas poecilorhyncha
Anas platyrhynchos
Anas querquedula
Anser fabalis
Aythya fuligula
Cairina scutulata
Dendrocygna bicolor
Neptapus coromandelianus
Rhodonessa caryophyllacea
Sarkidiornis melanotos
Tadorna tadorna

APODIDAE

House Swift
 Alpine Swift
 White Throated Spine
 Tailed Swift
 Edible Nest Swift
 Palm Swift
 Crested Swift

Apus affinis
Apus melba

Chaetura candakuta
Collocalia innominata
Cypsiurus parvus
Hemiprocene longipennis

English Name

Scientific Name

ARDEIDAE

Grey Heron	<i>Ardea cinerea</i>
Giant White Billed Heron	<i>Ardea imperialis</i>
Purple Heron	<i>Ardea Purpurea</i>
Chinese Pond Heron	<i>Ardeola bacchus</i>
Little green Heron	<i>Ardeola Striatus</i>
Black Bittern	<i>Ixobrychus flavicollis</i>
Large Egret	<i>Egretta alba</i>
Indian Reef Heron	<i>Egretta Gularis</i>
Smaller Egret	<i>Egretta intermedia</i>
Tiger Bittern	<i>Corsachius melanocephalus</i>
Chest Nut Bittern	<i>Ixobrychus cinnamomeus</i>
Yellow Bittern	<i>Ixobrychus sinensis</i>
Night Heron	<i>Nycticorax nycticorax</i>

ARTAMIDAE

Ashy Swallow Shrike	<i>Artamus fuscus</i>
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BUCEROTIDAE

Rufous Nicked Hornbill	<i>Aceros nipalensis</i>
Pied Hornbill	<i>Anthracoceros malabaricus</i>
Great Hornbill	<i>Buceros bicornis</i>
Wreathed Hornbill	<i>Rhyticeos undulatus</i>

BURHINIDAE

Stone Curlew	<i>Burhimus oedicephalus</i>
Great Stone Curlew	<i>Esacus magnirostris</i>
Small Indian Pratincole	<i>Glareola lactea</i>

CAMPEPHAGIDAE

Smaller Cuckoo Shrike	<i>Coracina melaschistos</i>
Large Cuckoo Shrike	<i>C. novaehollandiae</i>
Pied flycatcher Shrike	<i>Hemipus picatus</i>
Small Minivet	<i>Pericrocotus cinnamomeus</i>
Scarlet Minivet	<i>Pericrocotus flammeus</i>
Yellow Throated Minivet	<i>pericrocotus solaris</i>
Common Wood Shrike	<i>Tephrodornis pondicerianus</i>
Large Wood Shrike	<i>Tephrodornis virgatus</i>

English Name

Scientific Name

CAPITONIDAE

Blue Throated Barbet
Blue Eared Barbet
Crimson Breasted Barbet
Lineated Barbet

Megalaima asiatica
Megalaima australis
Megalaima haemacephala
Megalaima lineata

**CAPRIMUL-
GIDAE**

Franklin's Night Jar
Jungle Night Jar
Long Tailed Night Jar

Caprimulgus affinis
Caprimulgus indicus
Caprimulgus macrurus

CHARADRIIDAE

Turnstone
Sanderling
Dunlin
Little Stint
Long Toed Stint
Temminck's Stint
Eastern Knot
Curlew Sand Piper
Great Snipe
Jack Snipe
Solitary Snipe
Chinese Kentish Plover
Large Sand Plover
Lesser Sand Plover
Long Billed Ringed Plover
Spoon Billed Sand Piper
Board Billed Sand Piper
Black Tailed Godwit
Snipe Billed Godwit
Ruff and Reeve
Avocet
Painted Snipe
Wood Cock
Wood Sandpiper
Armstrongs Sandpiper
Terek Sandpiper
Spotted Red Shank
Red Wattle Lapwing
White Tailed Lapwing
Spur Winged Lapwing
Lapwing

Arenaria interpres
Calidris alba
Calidris alpina
Calidris minuta
Calidris subminuta
Calidris temminckii
Calidris tenuirostris
Calidris testacea
Capella media
Gallinago minima
Gallinago solitaria
Charadrius alexandrinus
Charadrius leschenaultii
Charadrius mongolus
Charadrius placidus
Eurynorhynchus pygmeus
Limicola falcinellus
Limosa limosa
Limnodromus semipalmatus
Philomachus pygnax
Recurvirostra avosetta
Rostratula benghalensis
Scolopax rusticola
Tringa glareola
Tringa guttifer
Tringa terek
Tringa totanus
Vanellus indicus
Vanellus leucurus
Vanellus spinosus
Vanellus vanellus

<i>English Name</i>		<i>Scientific Name</i>
	CICONIIDAE	
Open Billed Stork		<i>Anastomus oscitans</i>
Eastern White Stork		<i>Ciconia ciconia</i>
White Nacked Stork		<i>Ciconia episcopus</i>
Black Stork		<i>Ciconia nigra</i>
Painted Stork		<i>Ibis leucocephalus</i>
Greater Adjutant		<i>Leptoptilos dubius</i>
Lesser Adjutant		<i>Leptoptilos javanicus</i>
Black Necked Stork		<i>Ephippiorhynchus asiaticus</i>
	COLUMBIDAE	
Emerald Dove		<i>Chalcophaps indica</i>
Blue Rock Pigeon		<i>Columba livia</i>
Purple Wood Pigeon		<i>Columba punicea</i>
Green Imperial Pigeon		<i>Ducula aenea</i>
Bar-tailed Cuckoo Dove		<i>Macropygia unchall</i>
Mountain Imperial Pigeon		<i>Ducula badia</i>
Spotted Dove		<i>Streptopelia chinensis</i>
Rufous Turtle Dove		<i>Streptopelia orientalis</i>
Red Turtle Dove		<i>Streptopelia tranquebarica</i>
Orange-breasted Pigeon		<i>Treron bicincta</i>
Orange-breasted Pigeon		<i>Treron curvirostra</i>
Yellow Footed Pigeon		<i>Treron phoenicoptera</i>
Grey Fronted Pigeon		<i>Treron pompadora</i>
	CORACIIDAE	
Indian Roller		<i>Coracias benghalensis</i>
Broad Billed Roller		<i>Eurystomus orientalis</i>
	CORVIDAE	
Jungle Crow		<i>Corvus macrorhynchos</i>
Grey Tree-pie		<i>Dendrocitta formosae</i>
Rufous Tree-pie		<i>Dendrocitta vagabunda</i>
Green Magpie		<i>Cissa chinensis</i>
Red Billed Green Magpie		<i>Cissa erythrorhyncha</i>
	CUCULIDAE	
Plaintive Cuckoo		<i>Cacomantis merulinus</i>
Banded Bay-Cuckoo		<i>Cacomantis sonneratii</i>
Crow-Pheasant		<i>Centropus sinensis</i>
Pied Crested Cuckoo		<i>Clamator jacobinus</i>
Cuckoo		<i>Cuculus canorus</i>
Hodgson's Hawk-cuckoo		<i>Cuculus fugax</i>
Indian Cuckoo		<i>Cuculus micropterus</i>

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English Name

Scientific Name

Small Cuckoo
Common Hawk-Cuckoo
Koel
Large Green Billed Malkoha
Drongo-Cuckoo
Sirkeer Cuckoo

Cuculus Poliocephalus
Cuculus varius
Eudynamys scolopacea
Rhopodytes tristis
Surniculus lugubris
Taccocua leschenaultii

DICAEIDAE

Yellow-vented Flower Pecker
Tickell's vented Flower Pecker
Plaincoloured Flower Pecker
Scarletbacked Flower Pecker
Orange Bellied Flower Pecker

Dicaeum chrysorrheum
Dicaeum erythrorhynchos
Dicaeum concolor
Dicaeum cruentatum
Dicaeum trigonostigma

DICRURIDAE

Black Drongo
Bronzed Drongo
Lesser Racket Tailed Drongo
Crow Billed Drongo
White Billed Drongo
Hair-crested Drongo
Ashy Drongo
Greater Racket Tailed Drongo

Dicrurus adsimilis
Dicrurus aeneus
Dicrurus remifer
Dicrurus annectans
Dicrurus coernlescens
Dicrurus hottentottus
Dicrurus leucophaeus
Dicrurus paradiseus

EMBERIZIDAE

Deccan Crested Bunting
Black-faced Bunting
Yellow Breasted Bunting

Melophus lathami
Emberiza spodocephala
Emberiza aureola

ESTRILDIDAE

Red Munia
White Throated Munia
Chest Nut Munia
Whitebacked Munia
Spotted Munia

Estrilda amandava
Lonchura malabarica
Lonchura punctulata
Lonchura striata
Lonchura punctulata

EURLAIMIDAE

Gould's Broad Billed

Serilophus lunatus

FRINGILIDAE

Common Rosefinch

Carpondacus erythrurus

<i>English Name</i>		<i>Scientific Name</i>
	<i>GRUIDAE</i>	
Demoiselle Crane		<i>Anthropoides virgo</i>
	<i>HELIORNITHIDAE</i>	
Masked Finfoot		<i>Heliopais personata</i>
	<i>HIRUNDINIDAE</i>	
House Martin		<i>Delichon nipalensis</i>
Striated Swallow		<i>Hirundo daurica</i>
Sand Martin		<i>Hirundo rustica</i>
Wire-tailed Swallow		<i>Hirundo smithii</i>
Larger straited Swallow		<i>Hirundo striolata</i>
Plain Sand Martin		<i>Riparia paludicala</i>
Collard Sand Martin		<i>Riparia riparia</i>
	<i>IRENIDAE</i>	
Common Iora		<i>Aegithina tiphia</i>
Gold Fronted Chloropsis		<i>Chloropsis aurifrons</i>
Blue Winged Chloropsis		<i>Chloropsis cochinchinensis</i>
Orange Bellied Chloropsis		<i>Chloropsis hardwickei</i>
Fairy Blue Bird		<i>Irena puella</i>
	<i>JACANIDAE</i>	
Pheasant Tailed Jacana		<i>Hydrophasianus chirurgus</i>
Bronzed Winged Jacana		<i>Metopidius indicus</i>
	<i>LANIIDAE</i>	
Brown Shrike		<i>Lanius cristatus</i>
Black Headed Shrike		<i>Lanius schach</i>
Tibetan Shrike		<i>Lanius tephronotus</i>
Large Cuckoo Shrike		-----
	<i>LARIDAE</i>	
Whiskered Tern		<i>Chlidonias hybrida</i>
White Winged Black Tern		<i>Chlidonias leucopterus</i>
Gull Billed Tern		<i>Gelochelidon nilotica</i>
Caspian Tern		<i>Hydroprogne caspia</i>
Brown Headed Gull		<i>Larus brunnicephalus</i>
Lesser Black Backed Owl		<i>Larus fuscus</i>
Great Black Headed Gull		<i>Larus ichthyaetus</i>

English Name

Black Headed Gull
Indian Skimmer
Black Billed Tern
Large Crested Tern
Common Tern
Little Tern
Indian River Tern

Scientific Name

Larus rudibundus
Rhynchops albicollis
Sterna acuticauda
Sterna bergii
Sterna hirundo
Sterna albifrons
Sterna aurantia

MEROPIDAE

Chestnut Headed Bee-eater
Green Bee-eater
Blue Tailed Bee-eater
Blue Bearded Bee-eater

Merops leschenaulti
Merops orientalis
Merops philippinus
Nyctyornis athertoni

**MOTACILLI-
DAE**

Chinese Tree Pipit
Paddy Field Pipit
Dark Pipit
Pied or White Wagtail
Grey Wagtail
Yellow Headed Wagtail
Yellow Wagtail

Anthus hodgsoni
Anthus novaeseelandiae
Anthus pelopus
Motacilla alba
Motacilla cinerea
Motacilla citreola
Motacilla flava

Paddy Field Warbler
Blunt Winged Paddy Field Warbler
Blyth's Reed Warbler
Great Reed Warbler
Nepal Babbler
Red Throated Tit Babbler
Spotted Bush Warbler
Great Nedkedi Laughing Thrush
Blackgorgeted Laughing Thrush
Bristled Grass Warbler
Yellow eyed Babbler
White Tailed Blue Robin
Fantail Warbler
Streaked Fantail Warbler
Magpie Robin
Grey Headed Fly Catcher
Black Backed Forktail
Leschenaulis Forktail
Spotted Forktail
Slaty Backed Forktail

**MUSCICAPI-
DAE**

Acrocephalus agricola
Acrocephalus concinens
Acrocephalus dumetorum
Acrocephalus stentoreus
Alcippe nepalensis
Alcippe rufogularis
Bradypterus thoracicus
Garrulax monilgere
Garrulax pectoralis
Chaetornis striatus
Chrysomma sinense
Cinclidium leucurum
Cisticola exilis
Cisticola juncidis
Copsychus saularis
Culicicapa ceylonensis
Enicurus immaculatus
Enicurus leschenaulti
Enicurus maculatus
Enicurus Schistaceus

<i>English Name</i>	<i>Scientific Name</i>
Blue Chat	<i>Erithacus brunneus</i>
Ruby Throat	<i>Erithacus calliope</i>
Siberian Blue Chat	<i>Erithacus cyane</i>
Himalayan Ruby Throat	<i>Erithacus pectoralis</i>
Blue Throat	<i>Erithacus svecius</i>
Delesserts Laughing Thrush	<i>Garrulax delesserti</i>
Yellow Throated Laughing Thrush	<i>Garrulax galbanus</i>
Crimson Winged Laughing Thrush	<i>Garrulax phoeniceus</i>
Rufous Necked Laughing Thrush	<i>Garrulax ruficollis</i>
Streaked Laughing Thrush	<i>Garrulax virgatus</i>
Large Grass Warbler	<i>Graminicola bengalensis</i>
Booted Warbler	<i>Hippalais caligata</i>
Slender Billed Scimitar Babbler	<i>Xiphirhynchus Superciliaris</i>
Silver Eared Mesia	<i>Leothrix argentauris</i>
Pallas's Grass Hopper Warbler	<i>Locustella certhiola</i>
Temminck's Grass Hopper Warbler	<i>Locustella lenceolata</i>
Yellow Breasted Babbler	<i>Macronous gularis</i>
Straited Marsh Warbler	<i>Megalurus palustris</i>
Lesser Scaly Breasted Wren Babbler	<i>Pnoepyga pusilla</i>
Black Naped Flycatcher	<i>Hypothymis azurea</i>
Blue Rock Thrush	<i>Monticola solitarius</i>
Red Breasted Flycatcher	<i>Muscicapa parva</i>
Large Billed Blue Fly Catcher	<i>Muscicapa banyumas</i>
Brook's Fly Catcher	<i>Muscicapa poliogenys</i>
Blue Throated Fly Catcher	<i>Muscicapa rubeculoides</i>
White Browed Blue Flycatcher	<i>Muscicapa superciliaris</i>
Verditer Flycatcher	<i>Muscicapa thalassina</i>
Thickell's Blue Flycatcher	<i>Muscicapa tickelliae</i>
Golden Headed Tailor Bird	<i>Orthotomus cucullatus</i>
Tailor Bird	<i>Orthotomus sutorius</i>
Managrove Whistler	<i>Pachycephala grisola</i>
Red Headed Parrot Bill	<i>Paradoxornis ruficeps</i>
Black Redstart	<i>Phecnicurus ochruros</i>
Daurian Redstart	<i>Phoenicurus aureus</i>
Thick Billed Warbler	<i>Acrocephalus aedon</i>
Thickell's Leaf Warbler	<i>Phylloscopus affinis</i>
Black Browed Leaf Warbler	<i>Phylloscopus cantator</i>
Smoky Willow Warbler	<i>Phylloscopus fulgiventris</i>
Dusky Leaf Warbler	<i>Phylloscopus fuscatus</i>
Yellow Browed Leaf Warbler	<i>Phylloscopus inornatus</i>
Large Billed Leaf Warbler	<i>Phylloscopus magnirostris</i>
Blyth's Leaf Warbler	<i>Phylloscopus reguloides</i>
Dull Green Leaf Warbler	<i>Phylloscopus trochiloides</i>
Rustycheeked Scimitar Babbler	<i>Pomatorhinus erythrogenys</i>

*English Name*

Large scimitar Babbler
Rufous Necked scimitar Babbler Long
Tailed Grass Warbler
Yellow Bellied Long Tailed Warbler
Streaked Longtailed Warbler
Franklin's Longtailed Warbler
Beavens Longtailed Warbler
Ashy Longtailed Warbler
Tawny Flanked Longtailed
Jungle Longtailed Warbler
Chestnut Throated Shrike Babbler
White Browed Fantail Flycatcher
Yellow Bellied Fantail Flycatcher
Plumbeas Redstart
Long Billed Wren Babbler
Pied Bush Chat
Darkgrey Bush Chat
Jerdon's Bush Chat
Stone Chat
Yellow-eyed flycatcher Warbler
Gold Headed Babbler
Red-fronted Babbler
Paradise Flycatcher
Abbot's Babbler
Red-capped Babbler
Striated Babbler
Jungle Babbler
Black Throated Thrush
Chestnut Headed Yuhina
Yellow Napped Yuhina
Black Chinnedyuhina
White Bellied Yuhina
Golden Mountain Thrush
Orange Headed Ground Thrush

Mrs. Gould's Sunbird
Yellow Backed Sunbird
Purple Rumped Sunbird
Little Spiderhunter
Streaked Spiderhunter
Van Haselts Sunbird
Purple Sunbird

Bengal Florican

Scientific Name

Pomotorhinus hypoleucos
Pomarobinus ruficollis
Prinia burnesii
Prinia Flaviventris
Prinia Gracilis
Prinia hodgsonii
Prinia rufescens
Prinia socialis
Prinia subflava
Prinia sylvatica
Pteruthius melanotis
Rhipidura aureola
Rhipidura hypoxantha
Rhyacornis fuliginosus
Rimator malacoptilus
Saxicola caprata
Saxicola ferrea
Saxicola jerdoni
Saxicola torquata
Seicercus burkii
Stachyris chrysaea
Stachyris rufifrons
Terpsiphone paradisi
Trichastoma abbotti
Timalia pileata
Turdoides earlei
Turdoides striatus
Turdus ruficollis
Yuhina castaniceps
Yuhina flavicollis
Yuhina nigrimenta
Yuhina zantholeuca
Zoothera dauma
Zoothera citrina

*NECTARINI-
DAE*

Aethopyga gouldiae
Aethopyga siparaja
Nectarinia zeylonica
Arachnothera longirostris
Arachnothera magna
Nectarinia sperata
Nectarinia asiatica

OTIDIDAE

Eupodotis bengalensis

<i>English Name</i>		<i>Scientific Name</i>
	<i>PARIDAE</i>	
Grey Tit		<i>Parus major</i>
	<i>PELECANIDAE</i>	
Spotted Billed Pelican		<i>Pelecanus philippensis</i>
	<i>PHALACRO-CORACIDAE</i>	
Darter or Snakebird		<i>Anhinga rufa</i>
Shag		<i>Phalacrocorax fuscicollis</i>
	<i>PHASIANIDAE</i>	
White Cheeked Hill Partridge		<i>Aroborophila atrogularis</i>
Rufus Throated Hill Partridge		<i>Aroborophila rufogularis</i>
Bamboo Partridge		<i>Bambusicola fytchii</i>
Blue Breasted Quail		<i>Coturnix chinensis</i>
Rain Quail		<i>Coturnix coromandelica</i>
Assam Black Partridge		<i>Francolinus francolinus</i>
Swamp Partridge		<i>Franculinus gularis</i>
Red Jungle Fowl		<i>Gallus gallus</i>
Black Breasted Kalij		<i>Lophura laucomelana</i>
Common Pea Fowl		<i>Pavo cristatus</i>
Burmese Fowl		<i>Pavo muticus</i>
Peacock Pheasant		<i>Polyplectron bicalcaratum</i>
	<i>PICIDAE</i>	
Red Headed Bay Wood-pecker		<i>Blythipicus pyrrhotis</i>
Large Golden Beaked Wood pecker		<i>Chrysocolaptes lucidus</i>
Stripe Breasted Pied Wood-pecker		<i>Picoides atratus</i>
Grey-crowned Pigmy Wood-pecker		<i>Picoides canicapillus</i>
Yellow Fronted Pied Wood-pecker		<i>Picoides mahrattensis</i>
Fulvous Breasted Pied Wood-pecker		<i>Picoides macei</i>
Pigmy Wood-pecker		<i>Picoides nanus</i>
Lesser Golden Backed Wood-pecker		<i>Dinopium benghalense</i>
Golden Backed Three Toed Wood-pecker		<i>Dinopium javanense</i>
Yellow Fronted Rised Wood-pecker		<i>Dinopium marnathensis</i>
Pale Headed Wood-pecker		<i>Gecinulus grantia</i>
Heart Spotted Wood-pecker		<i>Hemicircus canente</i>
Rufous Bellied Wood-pecker		<i>Hypopicus hyperythrus</i>
Wryneck Wood-pecker		<i>Junx torquilla</i>
Rufous Wood-pecker		<i>Micropternus brachy</i>
Great Slaty Headed Wood-pecker		

English Name

Scientific Name

Speckled Piculet
Black Naped Green Wood-pecker
Small Yellow-naped Wood-pecker
Large Yellow-naped Wood-pecker
Little Scaly Bellied Green
Wood-pecker
Rufous Piculet

Picumnus innominatus
Picus canus
Picus chlorolophus
Picus flavinucha
Picus myrmecophoneus

PITTIDAE

Indian Pitta
Blue Pitta
Blue Winged Pitta
Blue napped Pitta
Green Breasted Pitta

Pitta brachyura
Pitta cyanea
Pitta moluccensis
Pitta nipalensis
Pitta sordida

PLOCEIDAE

Black-throated Baya
Streaked Baya
Baya

Ploceus benghalensis
Ploceus manyar
Ploceus Philippinus

PODARGIDAE

Hodgson's Frogmouth

Batrachostomus hodgsoni

PSITTACIDAE

Lorikeet
Red-breasted Parakeet
Blossom Headed Parakeet
Large Indian Parakeet
Slaty Headed Parakeet
Roseringed Parakeet
Eastern Blossom Headed Parakeet

Loriculus vernalis
Psittacula alexandri
Psittacula cyanocephala
Psittacula eupatria
Psittacula finschii
Psittacula krameri
Psittacula roseata

PTEROCLIDAE

Painted Sandgrouse

Pterocles indicus

PYCNONOTIDAE

White Throated Bulbul
Brown Eared Bulbul
Black Bulbul
Rufous Bellied Bulbul
Olive Bulbul
Black Headed Bulbul

Criniger flaveolus
Hypsipetes navalus
Hypsipetes madagascariensis
Hypsipetes meclellandi
Hypsipetes viridescens
Pycnonotus atriceps

English Name

Redvented Bulbul
Blyth's Bulbul
Redwhiskered Bulbul
Black Headed Yellow Bulbul
Finch-billed Bulbul

Scientific Name

Pycnonotus cafer
Pycnonotus flavescent
Pycnonotus jocosus
Pycnonotus melanicterus
Spizixos canifrons

RALLIDAE

Brown Crake
Ruddy Crake
White Breasted Waterhen
Elwe's Crake
Coot
Water Cock, Kora
Moorhen
Purple Moorhen
Water Rail

Amaurornis akool
Amaurornis fusca
Amaurornis phoenicurus
Amaurornis bicolor
Fulica atra
Gallicrex cinerea
Gallinula Chloropus
Porphyrio prohyrio
Rallus aquaticus

SITTIDAE

Chestnut Bellied Nuthatch
Beautiful Nuthatch
Velvet Fronted Nuthatch

Sitte oastanea
Sitta formosa
Sitta frontalis

STRIGIDAE

Spotted Owlet
Short Eared Owl
Eagle Owl
Tawny Fish Owl
Forest Eagle Owl
Brown Fish Owl
Pigmy Owlet
Barred Owlet
Brown Hawk Owl
Collard Scops Owl
Scops Owl
Spotted Scops Owl
Bay Owl
Barn Owl
Grass Owl

Athena brama
Asio flammeus
Bubo bubo
Bubo flavipes
Bubo nipalensis
Bubo zeylonensis
Glaucidium brodei
Glaucidium cuculoides
Ninox Scutulata
Otus bakkamoena
Otus scops
Otus spilocephalus
Phodilus badius
Tyto alba
Tyto capensis

English Name

Scientific Name

STURNIDAE

Jungle Myna
Bank Myna
Short Crested Myna
Common Myna
Glossy Starling
Crackle or Hill Myna
Spotted Winged Stare
Pied Myna
Grey Headed Myna
Brahminy Myna

Acridotheres fuscus
Acridotheres ginginianus
Acridotheres javanicus
Acridotheres tristis
Aplonis panayensis
Gracula religiosa
Saroglossa spiloptera
Sturnus contra
Sturnus malabaricus
Sturnus pagodarum

**THRESKIORNI-
THIDAE**

Glossy Ibis
Black Ibis
White Ibis

Plegadis falcinellus
Pseudibis papillosa
Threskiornis aethiopica

TROGONIDAE

Red Headed Trogon

Harpactes erythrocephalus

Common Bustard Quail
Little Bustard Quail

TURNICIDAE

Turnix suscitator
Turnix sylvatica

Hoopee

UPUPIDAE

Upupa epops

White Eye

ZOSTEROPIDAE

Zosterops palpebrosa

6. All individuals of the following species or sub-species of mammals:

<i>English Name</i>	<i>Scientific Name</i>
CARNIVORA	
Binturong	<i>Arctictis binturong</i>
Wild dog	<i>Cuon alpinus</i>
Haeyna	<i>Hyeana hyeana</i>
Clouded Leopard	<i>Felis nebulosa</i>
Fishing Cat	<i>Felis viverrina</i>
Golden Cat	<i>Felis temmincki</i>
Jungle Cat	<i>Felis chaus</i>
Marbled Cat	<i>Felis marmorata</i>
Leopard cat	<i>Felis bengalensis</i>
Bengal Tiger	<i>Panthera tigris tigris</i>
Leopard	<i>Panthera pardus</i>
Small-toothed Palm Civet	<i>Arctogalidia trivargata</i>
Himalayan Palm Civet	<i>Paguma larvata</i>
Palm Civet	<i>Paradoxurus hermaphroditus</i>
Small Indian Civet	<i>Viverricula indica</i>
Common Mongoose	<i>Herpestes edwardsi</i>
Asiatic Black Bear	<i>Selenarctos thibetanus</i>
Sloth Bear	<i>Melursus ursinus</i>
Sun Bear	<i>Helarctos malayanus</i>
Hog Badger	<i>Arctonyx collaris</i>
Clawless less Otter	<i>Aonyx cinerea</i>
Common Otter	<i>Lutra lutra</i>
Smooth Indian Otter	<i>Lutra perspicillata</i>
Honey Badger	<i>Mellivora capensis</i>
PHOLIDOTA	
Indian Pangolin	<i>Manis crassicaudata</i>
Malayan Pangolin	<i>Manis javanica</i>
RODENTIA	
Brushtailed Porcupine	<i>Atherurus macrourus</i>
Indian Porcupine	<i>Hystrix indica</i>
Flying Squirrel	<i>Petaurista petaurista</i>
Pallasis Squirrel	<i>Callosciurus erythraeus</i>
Hoary Bellied Himalayan Squirrel	<i>Callosciurus pygerythrus</i>
Orange Bellid Himalayan Squirrel	<i>Dremomys lokriah</i>
Five-striped Palm Squirrel	<i>Funambalus pennanti</i>
Three striped Palm Squirrel	<i>Funumbalus palmarthm</i>
Malayan giant Squirrel	<i>Ratufa bicolor</i>
Giant flying Squirrel	<i>Petaurista elegans</i>

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English Name

Scientific Name

INSECTIVORA

Pigmy Shrew
Grey Musk Shrew
Kiastren Mole

Suncus etruscus
Suncus murinus
Talpa micrura



LAGOMORPHA

Hispid Hare

Caprolagus hispidus

PRIMATE

Hoolock
Assamese Macaque
Crab-eating Macaque
Rhesus Macaque
Pigtailed Macaque
Langur
Capped Langur
Phayre's Leaf Monkey
Slow Loris

Hylobates hoolock
Macaca assamensis
Macaca fascicularis
Macaca mulatta mulatta
Macaca nemestrina
Presbytis entellus
Presbytis pileatus
Presbytis phayrei
Nycticebus coucang

PROBOSCIDEA

Asiatic Elephant

Elephas maximus

PERISSO-
DACTYLA

Lesser One Horned Rhinoceros

Rhlnoceros sondaicus

ARTIODACTYLA

Nilgai
Banteng
Gaur/Indian Bison
Gayal Bison
Wild Buffalo
Serow
Swamp Deer
Sambar
Spotted Deer
Hog Deer
Barking Deer

Boselphus tragocamelus
Bos banteng
Bos gaurus
Bos frontalis
Babalus bubalis
Capricornis sumatraensis
Cervus duvauceli
Cervus unicolor
Axis axis
Axis porcinus
Muntiacus muntjak



English Name

Scientific Name

CETACEA

Common Dolphin
Little Porpoise
Gangetic Dolphin
Blus Whale
Fin Whale

Delphinus delphis
Neophocaena phocaenoides
Platanista gangetica
Balaenopera musculus
Balaenoptera physalus

Chapter 10

CULTURAL AND NATIONAL HERITAGE

10.1 Antiquities Act, 1968

1. Aim: To consolidate and amend the law relating to the preservation and protection of antiquities, particularly the Ancient Monuments Preservation Act, 1904 (Act VII of 1904) and the Antiquities (Export Control) Act, 1947 (Act XXXI of 1947). (Appendix VII)
2. Provisions:
 - 2.1 Meanings and definitions:
 - a. Ancient: Belonging or relating to any period preceding hundred years.
 - b. Antiquity: Ancient product, object or site, including the area required for fencing or covering, and access roads.
 - 2.2 Custody, preservation etc. of ownerless antiquity;
 - 2.3 Power of entry and inspection of any premises, place or area;
 - 2.4 Acquisition of land containing antiquities under the Land Acquisition Act, 1894 (Act I of 1894);
 - 2.5 Purchase, taking lease etc.;
 - 2.6 Right of pre-emption in case of a sale of antiquity;
 - 2.7 Declaration of protected antiquities;
 - 2.8 The guardianship of antiquity by agreement;
 - 2.9 Compulsory acquisition of protected immovable antiquity under the Land Acquisition Act, 1894 (Act I of 1894);
 - 2.10 Protection of place of worship from misuse etc.;
 - 2.11 Restriction on use of protected immovable antiquity;
 - 2.12 Prohibition of destruction, damage, etc. of antiquities;
 - 2.13 Dealing in antiquities in accordance with license;
 - 2.14 Export of antiquities in accordance with license;
 - 2.15 Prohibition/restrictions of mining, quarrying, excavating, blasting, movement of heavy vehicles etc.;

- 2.16 Prohibition of archaeological excavation without licence;
- 2.17 Right of access to public;
- 2.18 Penalty for contraventions, counterfeiting etc.: punishable with imprisonment.

Appendix VII

LIST OF ARCHAEOLOGICAL RESOURCES
DEPARTMENT OF ARCHAEOLOGY AND MUSEUM

KHULNA DIVISION

Sl. No.	Location	Name of Archaeological Resources
1	Khulna	Masjidkur Mosque
2	Bagerhat	Shatgumbaj Mosque
3	"	Mausoleum of Ulugh Khan Jahan Ali
4	"	Noy Gumbaj Mosque
5	"	Rano Bijoypur Mosque
6	"	Singer Mosque
7	"	Bibi Begonir Mosque
8	"	Chuna Khola Mosque
9	"	Kodla Math
10	"	Reza Khuda Mosque
11	"	Grave of Per Ali
12	"	Old Danga Mosque (Old Jame Mosque)
13	"	Ek-Gumbuj Mosque Near to Khan Jahan Ali's Mosque
14	Barisal	Kasba Mosque
15	"	Komolapur Mosque
16	"	Sharkar Math
17	"	Uttar Karapur Mia Bari Mosque
18	Patuakhali	Masjid Bari Mosque
19	"	Shri Rampur Mosque
20	"	Dochala Mausoleum
21	"	Old Bridge
22	"	Kachichira Jame Mosque

Sl. No.	Location	Name of Archaeological Resources
23	Jessore	Bharat Voina
24	"	Mirza Nagar Hammam
25	"	House of Michael Modhusudhan Datta
26	"	Commemorative plate of Michael Modhusudhan Datta
27	"	Immambara of Haji Mohammad Mohsin
28	Satkhira	Iswaripur Hammam
29	"	Prabajpur Shahi Mosque
30	"	Jahajghata Hammam and Nearby Archaeological Remains
31	"	Tetulia Jame Mosque
32	Jhenidah	Gorar Mosque
33	"	Dik Nagar Mound
34	"	Shat Gachia Gayebana Mosque
35	Kushtia	Shilaidaha Rabindra Kuthi Bari
36	"	Jhaudia Shahi Mosque
37	Barguna	Bibichini Mosque

DHAKA DIVISION

Sl. No.	Location	Name of Archaeological Resources
1	Dhaka	Lalbagh Fort
2	"	Pari Bibir Majar
3	"	Lalbagh Fort Mosque
4	"	Darbar Hall and Hammam Khana inside the Lalbagh Fort
5	"	South East Gate Way to the Lalbagh Fort
6	"	Sat Gumbuj Mosque
7	"	Mosque of Khan Mohammad Mridha
8	"	Mosque and Grave of Haji Khaja Shahbaj
9	"	Unknown Mausoleum Near Sat Gumbuj Mosque
10	"	Old Eidgah
11	"	Tower of Raja Harish Chandra
12	"	The Palace of Raja Harish Chandra and Rajashan Mound
13	"	Bara Katra
14	"	Chota Katra
15	"	North Brook Hall
16	"	Rose Garden
17	"	Ruplal House
18	"	Shutarapur Zamindar House
19	"	Shankhanidhi House
20	"	Radha Krishna Temple
21	"	Bhajahari Lodge
22	Narayanganj	Hajiganj Fort
23	"	Sonakanda Fort
24	"	Gusaldi Mosque
25	"	Bibi Mariam's Mausoleum



Sl.No.	Location	Name of Archaeological Resources
26	Narayanganj	Khandakar Mosque
27	"	Mausoleum of Giasuddin Ajam Shah
28	"	Panam Bridge
29	"	Mausoleum of Haji Baba Saleh
30	"	Murapara Palace
31	"	Sona Rang Temple
32	"	Idrakpur Fort
33	"	Baba Adam Mosque
34	"	Mir Kadim Bridge
35	"	Tank of Harish Chandra
36	Narsingdi	Parulia Shahi Mosque
37	Manikganj	Baliati Palace
38	Mymensingh	Shah Mohammad Mosque
39	"	Shashi Lodge
40	Netrokona	Kot Bari
41	"	Buruj Mound
42	"	Wali Niyamat Bibi's Dargah
43	"	Building without Roof
44	"	Bara Duari
45	Kishoreganj	Kutub Mosque
46	"	Sadi Mosque
47	"	Aurangzeb's Mosque
48	"	Gorar Mosque
49	"	Poet Dwija Bangshi Das's Temple
50	"	Poet Chandrabati's Temple
51	Tangail	Atia Mosque
52	"	Kadim Hammdani Mosque

Sl. No.	Location	Name of Archaeological Resources
53	Sherpur	Ghagrakhan Bari Jami Mosque
54	Faridpur	Majlish Aulia Mosque
55	"	Mathurapur Deul
56	Madaripur	Raja Ram Temple

RAJSHAHI DIVISION

Sl. No.	Location	Name of Archaeological Resources
1	Bogra	Mahasthangarh
2	"	Kherua Mosque
3	"	Mahasthan Mosque
4	"	Lokhindarerer Medh
5	"	Khodar Pathar Bhita
6	"	Mankalir Kunda
7	"	Parshuram's Palace
8	"	Bairagir Bhita
9	"	Nitai Dhapanir Ghat
10	"	Gobinda Dhap
11	"	Raja Gopinath's Ghat
12	"	Skondher Dhap
13	"	Khamar Dhap
14	"	Dhon Bhandar
15	"	Shoudagar Bhita
16	"	Kancher Angina
17	"	Shoshthi Tola
18	"	Rash Moncha
19	"	Dulu Majhir Bhita
20	"	Ojha Dhannantarir Bhita
21	"	Sanyasir Dhap-1
22	"	Sanyasir Dhap-2
23	"	Sanyasir Dhap-3
24	"	Narapatir Dhap
25	"	Dakinir Dhap

Sl. No.	Location	Name of Archaeological Resources
26	Bogra	Shurdhighir Dhap
27	"	Kanchir Hari
28	"	Dhanapati or Dhniker Dhap
29	"	Malinir Dhap
30	"	Khallanar Dhap
31	"	Lohonar Dhap
32	"	Madarir Dargah
33	"	Padmarbari
34	"	Bish Mardan
35	"	Narapatir Dhap
36	"	Sanyasir Dhap
37	"	Totaram Panditer Dhap
38	"	Mangal Kot
39	"	Shalbon Rajbari Mound
40	"	Godairbari Dhap
41	"	Madar Tola Nishan Mati Mound
42	"	Dolmancha Mound
43	"	Kanai Dhap
44	Rangpur	Dargah of Shah Ismail Gazi
45	"	Mithapukur Mosque
46	"	Bagduar Mound
47	"	Batasan Mound
48	"	Birat Mound
49	"	Dargah
50	"	Daraun Fort
51	"	Chhapra Kot Mound

Sl. No.	Location	Name of Archaeological Resources
52	Nilphamari	Dharmapaler Garh
53	Dinajpur	Kantanagar Temple
54	"	Sura Mosque
55	"	Nayabad Temple
56	"	Shitakot Bihar
57	"	Boigram Temple
58	"	Ghoraghat Fort
59	"	Arun Dhap
60	"	Dwor Chakrabortir Mound
61	"	Kanchir Hari Mound
62	"	Baroshaiker Garh
63	"	Gopalganj Temple
64	Rajshahi	Kumarshar Mound
65	"	Bagha Mosque
66	"	Bara Ahnnik Temple
67	"	Chhota Ahnnik Temple
68	"	Kismat Maria Mosque and Bibir Ghar
69	"	Hawa Khana
70	"	Gopal Temple-1
71	"	Shib Temple-1
72	"	Keshta Khepar Moth
73	"	Gopal Temple-2
74	"	Ras Temple
75	"	Bel Mondop
76	"	Shib Temple-2

Sl.No.	Location	Name of Archaeological Resources
77	Rajshahi	Gobinda Temple
78	"	Gopal Temple-3
79	"	Jagatdhatri Temple
80	"	Putia Raj Bari
81	"	Deopara Tank and its Bank
82	"	Dhanora Mound
83	"	Biharail Mound
84	"	Nowda Buruj
85	Naogaon	Paharpur Bihar
86	"	Kusumba Mosque
87	"	Aogradigun Mound
88	"	Halud Bihar
89	"	Doboho Hati Palace
90	"	Badal Pilar/Garudah Stambha
91	"	Dhibar Stambha/Kaibarto Stambha
92	"	Mahisantosh Mosque
93	"	Jagadal Mound
94	Pabna	Catmohar Mosque
95	"	Jor Bangla Temple
96	"	Jagannath Temple
97	"	Bangla Temple
98	Nator	Digha Patia Rajbari
99	"	Rani Bhabani Palace
100	Shirajganj	Rabindranath Thakur's Kachari Bari
101	"	Noboratna Temple
102	"	Potajia Temple
103	"	Shib Temple-1

Sl. No.	Location	Name of Archaeological Resources
104	Shirajganj	Shib Temple-2
105	"	Bangla Ghar
106	"	Birat Rajar Bari and Nearby Archaeological Remains
107	Nowabganj	Chhota Sona Mosque
108	"	Darash Bari Mosque
109	"	Shah Niamat Ullah Aulia's Mazar, Mosque and Tahkhana
110	"	Darash Bari Madrasha Mound
111	"	Thania Dighi Mosque
112	"	Thanichak Mosque
113	"	Rohanpur Old Mazar
114	Gaibandha	Birat Rajar Mound

CHITTAGONG DIVISION

Sl. No.	Location	Name of Archaeological Resources
1	Chittagong	Bakshi Hamid Mosque
2	"	Fatehpur Stone Script
3	Comilla	Salbon Bihar
4	"	Ananda Bihar
5	"	Kutila Mura
6	"	Charpatra Mura
7	"	Rupban Mura
8	"	Itakhula Mura
9	"	Ranimoynamoti's Palace and Temple
10	"	Shater Ratna Temple
11	"	Big Sharifpur Mosque
12	"	Boiragir Mura
13	"	Balagazi Mura
14	"	Big Kamta Mound
15	"	Vhoje Rajar Palace
16	"	Chandi Mura
17	"	Chila Mura
18	"	Hati Gora
19	"	Kotebari Mound
20	"	Moinamoti Mound-1
21	"	Moinamoti Mound-1Ka

Sl. No.	Location	Name of Archaeological Resources
22	"	Moinamoti Mound-1Kha
23	"	Moinamoti Mound-2
24	"	Moinamoti Mound-2Ka
25	"	Pakka Mura
26	"	Rupban Kannya Mura
27	"	Rupbani Mura
28	"	Uzirpur Mound
29	Sylhet	Megaethic Archaeological site
30	"	Gayebi Tank Mosque
31	"	Vatera Hillock Mound
32	Noakhali	Shiluar Mound
33	"	Ulchapara Mosque
34	"	Arifail Mosque
35	"	Arifail Mazar
37	Chandpur	Satyaram Mojumdar's Mound
38	"	Jatra Moni's Mound
39	"	Bakhtiar Khan's Mosque
40	"	Alipur Shahi Mosque
41	Hobiganj	Uchail Mosque
42	"	Changazi Bhuyan's Mosque

Statistics by Division

Khulna Division	37 Nos.
Dhaka Division	56 Nos.
Rajshahi Division	114 Nos.
Chittagong Division	42 Nos.
TOTAL Nos.	249 Nos.

Chapter 11

ENERGY

11.1 Brick Burning (Control) Act, 1989 (Act No.VIII of 1989) (In Bangla)

1. Aim: To control brick burning.
2. Provisions:
 - 2.1 To require license for brick burning from Local Authorities (Upazila/Thana Council);
 - 2.2 Prohibition of fuelwood for brick burning;
 - 2.3 Procedures for inspection;
 - 2.4 Penalties, including fine, imprisonment or both.

Chapter 12

GENDER ISSUES

12.1 The Muslim Family Laws Ordinance, 1961 (Ordinance No. VIII of 1961)

1. Aim: To give effect to certain recommendations of the commission on Marriage and family Laws, particularly with relation to Succession, Polygamy, Talaq, Maintenance, Dower etc.
2. Provisions:
 - (1) Succession: Grand children to receive share of their parents if parents died before the death of the grandparents;
 - (2) Polygamy: No second marriage without previous permission in writing of the Arbitration Council;
 - (3) Talaq: Procedure for talaq defined, provisions for arbitration to bring about reconciliation, provision for wife remarrying the same husband without an intervening marriage etc.;
 - (4) Maintenance: Provision for arbitration in case of husband failing to maintain wife/wives, as well as other provisions;
 - (5) Dower: Entire amount to be payable on demand unless otherwise payable;
 - (6) Child Marriage Restraint Act, 1929 amended to upward revise the age of marriage etc.;
 - (7) The Dissolution of Muslim Marriage Act, 1939 amended.

12.2 The Dowry Prohibition Act. 1980 (Act No. XXXX of 1980)

12.3 The Dowry Prohibition (Amendment) Ordinance, 1984 (Ordinance No. LXIV of 1984)

1. Aim: To prohibit the taking or giving of dowry in marriages.
2. Provisions:
 - 2.1 Definitions include "dowry" as different from "dower" or "mehr" under Muslim Personal Law;
 - 2.2 Penalty for giving or taking dowry;
 - 2.3 Penalty for demanding dowry;
 - 2.4 Agreement for giving/taking dowry is void;

2.5 Rules governing dowry for the benefit of the wife or her heirs;

2.6 Offenses and penalties.

12.4 The Cruelty to Women (Deterrent Punishment) Ordinance, 1983 (Ordinance No. LX of 1983)

1. Aim: To provide for deterrent punishment for cruelty to women and associated matters.

2. Provisions:

2.1 Penalty for kidnapping or abduction of women for unlawful or immoral purposes;

2.2 Penalty for trafficking in women;

2.3 Penalty for causing death or grievous hurt to women for dowry;

2.4 Causing death in committing rape etc.;

2.5 Attempts to cause death or causing grievous hurt in committing rape;

2.6 Punishment for abetment of offenses.

Chapter 13

HEALTH, SANITATION AND WATER SUPPLY

13.1 The East Pakistan Water Supply and Sewerage Authority Ordinance, 1963 (E.P. Ordinance No. XIX of 1963)

1. Aim: To provide for construction, improvement, expansion, operation and maintenance of water and sewerage works and other facilities relating to environmental sanitation and for constitution of Authority therefor.
2. Definitions, includes "environmental sanitation" "garbage and trash", "industrial waste" etc.
3. Functions:

Construction, improvement and maintenance of water works; construction, improvement and maintenance of sewerage works; collection and disposal of garbage and trash; construction and maintenance of drainage works; discontinuance of useless or unnecessary drains.
4. Other provisions: The Authority may take over any water or sewerage works within any local area; any water or sewerage works vested in the Government or in the Municipal Committee may be transferred to the Authority by Official Gazette notification; the Authority may levy and collect water, sewer and conservancy rates for services provided; no other organization shall offer the services offered by the Authority without permission of the Government.

Chapter 14

TENANCY AND LAND ADMINISTRATION

14.1 Transfer of Property Act, 1882

1. Aim: To define and amend law relating to the transfer of property.
2. Provisions: relating to environmental concern:
 - 2.1 Definitions of a "sale", a "mortgage" a "simple mortgage", an "usufructuary mortgage" and an "English mortgage" a "mortgage by deposit of title deeds", a "mortgage by conditional sale", an "anomalous mortgage", a "lease", an "exchange", a "gift".
 - 2.2 A right of future maintenance, in whatsoever manner arising, secured or determined, cannot be transferred.
 - 2.3 Certain restrictions on transfer of property do not apply if such transfer is for the benefit of the public in the advancement of religion, knowledge, commerce, health, safety or any other object beneficial to mankind.

14.2 The Easements Act, 1882

1. Aim: To define and amend the law relating to easement and licenses.
2. Provisions:
 - 2.1 Easement defined,- as a right which the owner or occupier of certain land possesses as such, for the beneficial enjoyment of that land, to do and continue to do something, or to prevent and continue to prevent something being done, in or upon or in respect of, certain other land not his own.
 - 2.2 Dominant and servient heritages and owners defined, explained and illustrated.
 - 2.3 Continuous and discontinuous, apparent and non-apparent easement defined.
 - 2.4 Customary easement defined; provisions of this act not to affect customary easement.
 - 2.5 Exercise of easement.
 - 2.6 Acquisition of easement by prescription, i.e. easement enjoyed peaceably for a period of twenty years.
 - 2.7 Provisions of this act shall not adversely affect any customary or other right which the Government, the public or any person may possess.

- 2.8 No provisions of this act shall affect any right of the Government to regulate the collection, retention and distribution of the water of rivers and streams flowing in natural channels, and of natural lakes and ponds or of the water flowing, collected, retained or distributed in or by any channel or other work constructed at the public expense for irrigation.

14.3 Land Acquisition Act, 1894 (Act I of 1894)

1. Aim: To amend the law for the acquisition of land needed for public purposes and for companies and for determining the amount of compensation to be made on account of such acquisition.
2. Provisions:
 - 2.1 Definitions, which include, among others, "land" "person interested" "company" "public purpose" etc.;
 - 2.2 Publication of preliminary notification and powers of officers therefor;
 - 2.3 Payment for damage;
 - 2.4 Hearing of objections;
 - 2.5 Land to be marked out, measured and planned;
 - 2.6 Notice to persons interested;
 - 2.7 Power to require and enforce the making of statements as to names and interests;
 - 2.8 Enquiry into measurements, value and claim, and award;
 - 2.9 Power to summon and enforce attendance of witnesses and production of documents;
 - 2.10 Power to take possession;
 - 2.11 Special power in cases of urgency;
 - 2.12 Payment of compensation in advance in the following manner:
 - a) 100% for structures and buildings;
 - b) 75% for homesteads and orchards;
 - c) 50% for vacant *nal* lands on the basis of a provisional estimate on rough and ready calculation;
 - d) 15% over the market value, because of compulsory nature of acquisition.



- 2.13 Reference to court and procedure thereon;
2.14 Matters to be considered in determining compensation:-

2.14.1 Market value of the land at the date of publication of the notification;

2.14.2 Damage sustained, by reason of standing crops, trees; severing the acquired land from another land; injuriously affecting other property, movable or immovable or the earning; change of residence, place of business;

2.14.2 Diminution of the profits of the land between the publication of the notification and taking possession of the land.

- 2.15 Rules as to amount of compensation;
2.16 Procedures for payment of compensation;
2.17 Temporary occupation of land;
2.18 Acquisition of land for companies.

14.4 The East Bengal Non- Agricultural Tenancy Act, 1949 (E.B. Act XXII of 1949)

1. Aim: To make better provision relating to the law of landlord and tenant in respect of certain non-agricultural tenancies.
2. Provisions:
 - 2.1 Definitions, including, among others, "land lord", "non-agricultural land", "a homestead", "non-agricultural tenant" "pucca structure" etc.;
 - 2.2 Classes of non-agricultural tenants;
 - 2.3 Purposes for which non-agricultural tenant may hold non-agricultural land;
 - 2.4 Tenancies held by a non-agricultural tenant;
 - 2.5 Manner of use of non-agricultural lands;
 - 2.6 Incidence of certain tenancies;
 - 2.7 Renewals, transfer and succession of tenancies;
 - 2.8 Incidents of non-agricultural tenancies held for less than twelve years;
 - 2.9 Ejectment of under-tenants;

- 2.10 Other incidents of tenancies of under-tenants;
- 2.11 Special incidents of a permanent tenancy of an under-tenant;
- 2.12 Transfer of non-agricultural land;
- 2.13 Power of the co-sharer or immediate landlord of transfer or to purchase;
- 2.14 Improvements, including facilities for taking water and laying out drainage connections;
- 2.15 Rights to make improvements;
- 2.16 No ejectment except in execution of decree.

14.5 The East Bengal Acquisition of Waste Land Act, 1950

- 1. Aim: To provide for the acquisition for public purposes of waste land.
- 2. Provisions:
 - 2.1. Definitions: Waste land means any land including marshy tracts, water courses, and jungle areas which has not grown crop for five consecutive years or more;
 - 2.2. To survey, dig or bore, to set out boundaries, etc.;
 - 2.3. Principles of determining compensation;
 - 2.4. Penalty for obstructing acquisition, including fine and/or imprisonment.

14.6 State Acquisition and Tenancy Act, 1950 (East Bengal Act XXVIII of 1951)

- 1. Aim: To provide for the acquisition by the state of the interests of rent-receiver and to define the law relating to tenancies to be held under the state after such acquisition.
- 2. Provisions of environmental concern:
 - (i) There shall be only one class of holders of agricultural land, namely *maliks*, and the rights and liabilities of every such land holder shall be regulated by the provisions of this Act. The *malik* have the right to occupy and use the land comprised in his holding in any manner he likes;
 - (ii) The *malik* is **not** conferred any right to any interests in the sub-soils including rights to minerals in his holding;
 - (iii) A *malik* shall not be ejected from his holding except

- by a decree passed by a civil court;
- (iv) Lands lost by diluvion, the rent will be altered in accordance to the rules;
 - (v) The right, title and interest of the *malik* shall be extinguished for the portion of the land lost due to diluvion;
 - (vi) Right of lands reappearing after having being lost due to diluvion shall vest absolutely in the Government;
 - (vii) In making settlement of the land which has reappeared, preferences shall be given to the *malik* or his successors, who, immediately before loss by diluvion, was the owner of such land, subject to the condition that such land reappears within twenty years from the date of such loss;
 - (viii) However, the above provision will not apply to cases of reappearance of land caused or accelerated by any artificial or mechanical process as a result of development works undertaken by Government or any authorized agency of the Government;
 - (ix) Land, accreted from the recess of a river or of the sea shall vest absolutely in the Government;
 - (x) No provision for subletting of holding;
 - (xi) Only complete usufructuary mortgage is allowed;
 - (xii) Restrictions on transfer of land in case of the aboriginals; i.e. an aboriginal can not transfer land to any one other than aboriginal except without permission. These aboriginals are: Sonthals, Banais, Bhuiyas, Bhumijies, Dalus, Garos, Gonds, Hadis, Hajangs, Hos, Kharias, Kharwars, Kochs (Dhaka Division) Koras, Maghs (Bakarganj District) Mal and Sauria Paharias, Maches, Mundas, Mundais, Oraons and Turis;
 - (xiii) Rent rates of land to be determined on the basis of:
 - a. Nature of soil and general productivity;
 - b. The normal yield;
 - c. The average prices of crops grown;
 - d. Agricultural improvement work by the Government.
 - (xiv) Rent of agricultural land shall not exceed 10% of the total value of the produce per acre;
 - (xv) In case of non-agricultural land, the rent will not exceed 0.25% of the market value per acre for residential area, and 0.5 % for any other area;

(xvi) Grounds for reduction of rent:

- a. Deterioration of soil through sand deposit or any other natural causes, sudden or gradual;
- b. In case of break down of the existing irrigation and/or drainage system or maintenance of any embankments or bunds and the resulting deterioration of the soil;

(xvii) Place of public prayer or religious worship, of any faith, e.g. Mosque, Jamatkhana, Eidgah, Temple, Church, Math, Synagogue, Pagoda, and public graveyard or public cremation may be exempted from rent.

14.7 Land Administration Manual, 1982

1. Aim: To make available in one volume to the relevant offices and branches of relevant ministries various acts, ordinances, explanations, directives, notifications etc.

2. Contents: The Land Administration Manual contains the following:

- a. Khas land and its management;
- b. Land Reform Orders and Rules;
- c. Land development tax;
- d. Management of Jalmahal, Hatbazar and Ferries;
- e. Land acquisition and land requisition;
- f. Mutations etc.;
- g. Certificate case;
- h. Management of enemy property, vested property and assets;
- i. Exchange of land and property;
- j. Management of abandoned property;
- k. Miscellaneous, including shrimp cultivation, administration etc.

The manual is bilingual. Those acts, ordinances, rules, circulars that were framed in English have not been translated into Bangla, while others have been retained in the Bangla form.

The manual should prove to be a valuable source book to the EIA practitioner to look for the provisions and practices of the laws in force in Bangladesh as regards most of the land resources, including leasing of Jalmahals and shrimp cultivation aspects.

14.8 The Land Reforms Ordinance, 1984 (Ordinance No.X of 1984)

1. Aim: To reform the law relating to land tenure, land holding and land transfer with a view to maximizing production and ensuring a better relationship between land owners and *bargadars*.
2. Provisions:
 - (i) Definitions of "*bargadar*", "*barga contract*", "*barga land*" etc.;
 - (ii) Limitation on ownership of agricultural land to 60 standard *bighas*;
 - (iv) No eviction etc. from homestead;
 - (v) Settlement of Khas land for homestead;
 - (vi) Rights of the *bargadars*, including division of produce of *barga land*;

14.9 The Laws of Inheritance

In Bangladesh, land and property belonging to a member of one community is often transferred by sale to a member of another community. Land is also acquired for public purposes from members of various communities. Therefore, knowledge of the proper share of the actual owner of the members of each community is of great help in reducing misunderstanding between interested parties.

1. The Muslim Law of inheritance

Muslims are divided into two sects. e.g. Sunni and Shia. Most of the Muslims of Bangladesh belong to the Sunni Sect. Law of inheritance are different for the two sects.

Sources of Muslim Law of inheritance:

- a. The Quran
- b. The Hadis
- c. Ijma
- d. Kiaz

There are three kinds of inheritors:

- (i) Jabil Furuz (Co-sharers)
- (ii) Asaba (Residuals)
- (iii) Jabil Arham (Distant Kindreds)

The property is distributed simultaneously amongst the inheritors according to set rules.

2. The Hindu Law of inheritance

Sources of Hindu Law of inheritance:

- a. The Veda
- b. The Smriti
- c. The Essays or Explanations

- (i) The Mitakhshara School
- (ii) The Dayabhaga School

The Dayabhaga School is widely practiced in Bangladesh. In cases where Dayabhaga rules are silent, only then Mitakhshara rules may be applied.

Unlike Muslim law of inheritance, the Hindu inheritors do not become eligible to be inheritors simultaneously. One becomes inheritor only in the absence of the predecessors.

3. The Buddhist Law of inheritance

The Buddhist law of inheritance has been determined by the decisions and the decree of the Appellate Division of the Supreme Court of Bangladesh. (40 DLR, (AD) 1988) Generally speaking, the Buddhists of Bangladesh are governed by the Dayabhaga Hindu law in matters of succession.

4. The Christian law of inheritance

In Bangladesh the Christian community, in matters of succession is governed by the Indian Laws of Succession, 1925, (Act XXXIX of 1925), sections 24 to 49. These rules apply both to the Catholic and Protestant Sects.

The rules are based on:

- (i) Consanguinity and
- (ii) Collateral relations.

Chapter 15

LOCAL Government

15.1 The Local Government Ordinance, 1976 (Ordinance XL of 1976)

1. Aim: To provide for the constitution of local Government institutions in rural areas and to consolidate and amend certain laws relating to local Government in such areas.

2. Provisions:

- 2.1 Functions of Local Parishads;

- (i) Civil functions, numbering 40 specific functions listed in the Part I of the First Schedule, which includes provision for maintenance of public ways and public streets; public places; plantation and preservation of trees, particularly on public ways, public streets etc; sanitation and conservancy, wells, water pumps, tanks, ponds, and other works for water supply; preventing the contamination of the sources of drinking water supply; relief measures in the event of fire, flood, hail storm, earthquake or other natural calamity; management of environment;
 - (ii) Police and defence functions, as listed in the Part II of the First Schedule;
 - (iii) Revenue and general administrative functions;
 - (iv) Development functions, including agricultural, industrial and community development.

15.2 The Paurashava Ordinance, 1977 (Ordinance No.XXVI of 1977)

1. Aim: To provide for the constitution of local Government institutions in urban areas and to consolidate and amend certain laws relating to local Government in such areas.

2. Provisions:

- 2.1 Definitions, including, among others, "urban area", "building", "conservancy", "drain", "infectious disease", "nuisance", "refuse", "sullage" "water work" etc.

- 2.2 Functions of Paurashava, including the following sections:

- 2.2.1 Public health;

- 2.2.2 Water supply and drainage, including control of private sources of water supply and undertaking drainage schemes, declaration and regulation of public water courses;

- 2.2.3 Food: Regulation and control of articles of food and drink;

- 2.2.4 Animals: Animal husbandry; livestock improvement, control of stray or dangerous animals;
- 2.2.5 Town Planning;
- 2.2.6 Building control;
- 2.2.7 Streets: Lighting and watering of public streets, control of traffic and public vehicles;
- 2.2.8 Public safety: Fire fighting, civil defence and flood fighting, including receiving and affording relief to flood stricken people;
- 2.2.9 Planting and maintaining trees, parks, gardens and forests;
- 2.2.10 Establishing and maintaining institutions of education and culture;
- 2.2.11 Social welfare;
- 2.2.12 Prepare and maintain development plans.

15.3 The Local Government (Upazila Parishad and Upazila Administration Reorganization) Ordinance, 1982 (Ordinance No. LIX of 1982)

- 1. Aim: To provide for the constitution of Upazila Parishads for the Upazilas and related matters.
- 2. Provisions:
 - 2.1 Declaration and alteration of the limits of the Upazila.
 - 2.2 Functions of the Upazila Parishad, described in the Second Schedule include, among others:
 - a. All development activities at the Upazila level development plans, program, and implementation, monitoring and evaluation;
 - b. Preparation of Upazila Development Plans on the basis of Union Development Plans;
 - c. Promotion of health, family planning and family welfare;
 - d. Provision for management of environment;
 - e. Promotion and encouragement of employment generating activities;
 - f. Promotion and extension of co-operative movement within the Upazila;

- g. Planning and excavation of all rural public works programs;
 - h. Promotion of agricultural activities for maximizing production;
 - i. Promotion of educational and vocational activities;
 - j. Promotion of livestock, fisheries and forests.
- 2.3. The Third Schedule lists taxes, rates, fees etc. which may be derived by the Upazila Parishad, and include, among others:
- Lease money on Jalmahals situated entirely within the Thana boundaries.
3. Comment: The Government has recently dissolved the Upazila Parishad without affecting the functioning of the Upazila.

Chapter 16

NAVIGATION/WATER TRANSPORTATION

16.1 The Canals Act, 1864 (Bengal Act V of 1964)

1. Aim: To amend and consolidate the law relating to the collection of tolls on canals and other lines of navigation and for the construction and improvement of lines of navigation.
2. Provisions
 - 2.1 Definitions include "vessel", "line of navigation", "channel" etc.;
 - 2.2 What navigation channels may be rendered subject to the provision of this Act;
 - 2.3 By whom navigation channels may be made;
 - 2.4 Mode of obtaining land for the purpose;
 - 2.5 Tolls to be paid on lines of navigation subject to this Act;
 - 2.6 How payment of tolls is enforced;
 - 2.7 Rules relating to times of navigation;
 - 2.8 Appointment of supervisor with power to remove obstruction on any line of navigation;
 - 2.9 Mode of exercising such power;
 - 2.10 Supervisor may forbid construction of bandels or other contrivance for fishing etc.

16.2 The Ferries Act, 1885 (Bengal Act I of 1885)

1. Aim: To regulate ferries in Bangladesh.
2. Provisions
 - 2.1 Definitions includes "ferry" "private ferry" etc.;
 - 2.2 Power to declare, establish, define and discontinue public ferries;
 - 2.3 Control of management of public ferries vested in the magistrate;
 - 2.4 Leasing out of ferry tolls by auction;
 - 2.5 Private ferry not to ply within two miles of public ferry without sanction;

2.6 Power to make rules in regard to private ferries;

2.7 Penalty for rash navigation and stacking of timber causing damage to public ferry.

16.3 The East Pakistan Inland Water Transport Authority Ordinance, 1958 (E.P. Ordinance No. LXXV of 1958)

1. Aim: To set up an Authority for development, maintenance and control of inland water transport and of certain inland navigable water ways.
2. Provisions: Functions: River conservancy works, including river training for navigational purposes; disseminate navigational and meteorological information; survey services, maintenance of existing navigable waterways, including development of new channels and canals for navigation; develop, maintain and operate inland river ports, landing ghats, and terminal facilities; removal of wrecks and obstruction in waterways; conduct traffic surveys; develop rural water transport by modernizing and mechanizing country craft; ensure coordination with other forms of transport and with trade and agricultural interests; research into craft design, techniques of towage, landing and terminal facilities etc.

Chapter 17

POPULATION

17.1 The Births and Deaths Registration Act, 1873

1. Aim: To provide for means for a complete register of births and deaths.
2. Provisions:
 - 2.1 Notification for registration of all births and deaths within areas specified;
 - 2.2 Powers and responsibilities of different officials and functionaries;
 - 2.3 Pourashavas, Union Parishads and Cantonment Boards, where constituted, shall register all births and deaths occurring within the limits of the relevant body.

Chapter 18

BETTERMENT

18.1 The East Bengal Betterment Fees Act, 1953 (E.B. Act XII of 1953)

1. Aim: To impose betterment fee in respect of the increase in value of lands resulting from improvement works.
2. Definitions: "improvement work" means any work of improvement including a road scheme.
3. Provisions: When any improvement work has increased or is likely to increase the value of any land within any area, the Government may impose a betterment fee within that area following prescribed rules.

Chapter 19

RECREATION, PARK

19.1 The Public Parks Act, 1904 (Bengal Act No.II of 1904)

1. Aim: To protect public parks and gardens from injury, and to secure the public from molestation and annoyance while resorting to such parks and gardens.
2. Provisions:
 - 2.1 Regulate the use of the park and garden, including the admission of persons, animals, vehicles, etc.;
 - 2.2 Prohibition of plucking or gathering anything growing in the park, breaking of trees, branches, etc.;
 - 2.3 Prohibition of shooting, bird-nesting, or any act of cruelty;
 - 2.4 Prohibition or regulation of fishing, boating etc.;
 - 2.5 Prohibition of bathing or pollution of water by any other means.

Chapter 20

VOLUNTARY ORGANIZATION

20.1 The Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961 (Ordinance No. XLVI of 1961)

1. Aim: To provide for the registration and control of voluntary social welfare agencies, and for related matters.
2. Definitions: "Voluntary social welfare agency" means an organization, association, or undertaking established by persons of their own free will for the purpose of rendering welfare services in any one or more of the fields mentioned in the Schedule (attached with the ordinance) and depending for its resources on public subscriptions, donations or Government aid.
3. Provisions:
 - (i) Agency must be registered;
 - (ii) Conditions to be complied with by registered agencies;
 - (ii) List of fields, in which the agencies may work (the Schedule), which includes, among others, child welfare, women's welfare, social education, training in social work etc.;

Chapter 21

POLLUTION

21.1 The Smoke - Nuisances Act, 1905 (Bengal Act III of 1905)

1. Aim: Abatement of nuisances arising from the smoke of furnaces or fire places.
2. Provisions:
 - (i) Prohibit the erection or use of kilns or furnaces or the manufacture of coke, in specified areas;
 - (ii) Submission of plans for erection of furnace, flue or chimney;
 - (iii) Powers of inspection;
 - (iv) Penalty for contravention, including fine, demolition, confiscation of coke.

21.2 The Environment Pollution Control Ordinance, 1977 (Ordinance No.XIII of 1977)

1. Aim: To provide for the control, prevention and abatement of pollution of the environment of Bangladesh.
2. Provisions:
 - 2.1 Definitions: e.g.
 - (i) "Environment" means the surroundings consisting of air, waters, soil, food and shelter which can support or influence the growth of life of an individual or group of individuals, including all kinds of flora and fauna;
 - (ii) "Pollution" means such contamination, or other alteration of the physical, chemical or biological properties of any air, water or soil, including change in temperature, taste, colour turbidity, odour or any other characteristics of air, waters, soil or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any air, waters, or solid as will, or is likely to, create a nuisance or render such air, waters, or soil harmful, injurious, detrimental or disagreeable to public health, safety or welfare or to domestic, commercial, industrial uses, or to livestock, wild animals, birds, fish, plants or other forms of life;
 - (iii) "Water" means all waters including all streams, coastal waters, tanks, lakes, ponds, reservoir, marshes, watercourses, waterways, wells, springs irrigation systems, drainage systems, and all other bodies or accumulation of waters, surface or underground, natural, public or private.
 2. Constitution of the Environment Pollution Control Board;

3. Functions of the Board, which include formulation of policies for the control, prevention and abatement of pollution of environment, and suggest measures for implementation of its policies;
4. Implementation cell: for the purpose of execution of the policies;
5. Penalty and procedure for penalty, including fine and imprisonment;
6. Separate provisions for offence by commercial or industrial undertakings.

