

EAST PUNJAB LIVESTOCK AND BIRDS CONTAGIOUS DISEASES ACT, 1948

1948 • East Pb. Act XLVII.] LIVESTOCK AND BIRDS 309 CONTAGIOUS DISEASES THE EAST PUNJAB LIVESTOCK AND BIRDS CONTAGIOUS DISEASES ACT, 1948. TABLE OF CONTENTS

CHAPTER I—Preliminary. Sections. Short title, extent and commencement. Power to exempt areas from the provisions of this Act

2. Definitions

3. Scheduled diseases

4. Veterinary Surgeons

5. Inspectors

6. Status of Veterinary Surgeons and Inspectors

7. Powers of Inspectors

8

CHAPTER 11—The Control of Disease Powers to regulate inter-State trade and to control transport 9. of livestock and birds and things which may spread diseases. Power to control the holding of markets, fairs, etc. 10. Power to control traffic in infected livestock and birds

11. Cleansing and disinfection of vessels and vehicles

12. Duty of certain persons to report scheduled diseases

13. Power of Veterinary Surgeon to hold post-mortem

14. Power to isolate infective livestock and birds

15. Examination by the Veterinary Surgeon

16. Action after examination by the Veterinary Surgeon

17. Compensation for livestock and birds destroyed

18. Power to require disinfection Of infected premises, vessels or 19.vehicles

20. Declaration of private infected places.Examination of infected places by Veterinary Surgeon. 21

22. Declaration of public infected places.d areas by the Central Government

23. Declaration 0 In ec e 310 LIVESTOCK AND BIRDS [1948 : East Pb. Act CONTAGIOUS DISEASES Removal of animals and other things from infected areas 24. or places. Power to return livestock or birds, etc., to infected areas 25. Time for complying with and enforcement of orders

26. Recovery of expenses incurred under this Chapter

27

CHAPTER 11—Penalties and Procedure Penalties for contraventions of Acts, Regulations and Rules

28. Penalty for keeping or grazing infective livestock or birds in 29.unenclosed land. Penalty for bringing infective livestock or birds to market

30. Penalty for placing carcass of infective animal in river

31. Penalty for disinterring carcass of diseased livestock or birds

32. Penalty for malicious and vexatious entry of seizure by 33.Inspector

34. Arrest without order or warrant.Institution of proceedings

35. Jurisdiction of magistrates.36

37. Bar of claim to compensation.Power of Central Government to make regulations and rules 38

39. Power to make regulations and rules subject to previous publication

40. Protection to persons acting under this Act.APPENDIX 1 Schedule of diseases referred to in section 4 of the Animal Contagious Diseases Act, 1948. 1948 • East Pb. Act XLVIII LIVESTOCK AND BIRDS 311 CONTAGIOUS DISEASES ITHE EAST PUNJAB LIVESTOCK AND BIRDS CONTAGIOUS DISEASES ACT, 1948. East Punjab Act XLVII of 1948. [Received the assent of His Excellency the Governor on the 15th November, 1948, and was first published in the East Punjab Government Gazette

(Extraordinary) of November 20, 1948.] 1 Year 1948 2 No. 3 Short title XLVII The East Punjab Livestock and Birds Contagious Diseases Act, 1948. 4 or other wise aff by legislation Amended in part by the Adaptation of Laws Order, 1950. Extended to the territories which, immediately before the • 1st Novembr. 1956, were comprisal in the State of Patiala and East Punjab States Union by Punjab Act 5 of 19592. Amended by Punjab Act 33 of 1961 • Amended by punjab 25 of 1964' Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Orders, 1968. iFor StatenmtofObjects and Reasons, see East Punjab GovernmentGazett (Extraordinary), 1948, page 262, for the Select Commitee's Report, see East Punjab overnment Gazette. 1948, Part V, pages 8—18. For proceedings in the Assembly, seeEast Punjab Legislative Assembly. Debates, 1948, VolumeII,pages876and92S— and Volume 1948, pages 204—206. iFor Statement of Objects and Reasons, see punjaS Governmeat Gazette (Extraordinary) 1958, page 1487. Statementof Objects ?unJabGovernmat Gazette (Extra. otd' taary), 1961, page 173. 'Fot Statement Of Objects and Reagogg» . .püøjab Oqvernmea Guette (Extta•otdinary), 1564, pages-5\$5—937- 312 LIVESTOCK BIRDS [1948: East Pb. Act CONTAGIOUS DISEASES An Act to provide for the prevention and control of I(diseasq Whereas it is expedient to provide for the prevention and control of I[diseases affecting liVestock and birds] itis hereby enacted as follows CHAPTER I—Preliminary Short title. extent 1. This Act may be called the Punjab Livestock and Birds Contagious Diseases Act, 1948]. (2) It extends to the whole of the 8[Union Territory of Chandigarh]. (3) This section shall come into force at once and the 4fCentral Government] may by notification bring the rest d the Act, or any part of it, into force in the 5[State] or any area in the 5[State] on such date-andfor such period as may be specified in the notification

2. Notwithstanding anything contained in section 1, Power to exempt areas from the provisions of this the '[Central Government] may by notification exempt Act.Definitions. any area from any or all of the provisions of this Act, or dir. ect that any provision of this Act shall apply to any area with such modifications as may be specified

3. In this Act, unless there is anything repugnant in the subject or context,—'livestock' means all domesticated animals maintained on farms or by individuals in• cluding horses, donkeys, mules, elephants, cattle, buffaloes, goats; sheep, dogs, cats or such other animals as may from time to time be specifiedby the 4[Central Government] by notification ; 1Substitutedfor the words "Conta-giousdlseaseseffecting animals" bypunjab Act No. of 1961. •Substituted by ibid. 'Substituted forthßWQtd. "Punjab" bythePunjab Reorganisation (CbUdiggb) (Adaptation of Laws on State and Concurrent Subjects) Order,• 1968. • 'Substitutedfotthewotdg "State Government" by tblad. or", 1950. 'Substituted for the word "Provinée"* b' the tSubstitutedfot existizgCkuse (e) byæunjåb Act NO.- 33 •of 1961• 1948 : East Pb. Act XLVII.J LIVESTOCK AND BIRDS CONTAGIOUS DISEASES 313 (aa) 'bird' means a domesticated fowl chick, and includes such other bird , goose or from time to time be specified by the I[central Government] by notification ;] (b) 'an infective animal' is one which is affected with a scheduled disease or has recently been in contact with or in close proximity to an animal (c) 'prescribed' means prescribed by regulations or rules made under this Act; (d) 'scheduled disease' means any disease for the time being included in the schedule in Ap- pendix I

4. The diseases specified in the Schedule in Appendix Scheduledddiseases I shall in the first instance be scheduled diseases for the purpose of this Act, but the 1[Central Government] may, by notification—(a) delete any entry from the Schedule, or (b) include in the Schedule any communicable disease of 2[livestock or birds] to which it is expedient in their opinion that the provisions of this Act should apply. 5. (I) The 1[Central Government] may either by veterinary name or designation appoint any person holding the office Surgeons. of Veterinary Assistant or Veterinary Assistant Surgeon, or any graduate of a recognised veterinary college whom they think fit to be a Veterinary Surgeon for the purposes of this Act, and may define the area within which he shall exercise the powers and perform the duties ofa Veterinary Surgeon under this Act. (2) A Veterinary Surgeon shall have all the powers of an Inspector under this Act, and may exercise such powers concurrently with his powers as Veterinary Surgeon The Government] may either by name or Inspectors. designation appoint any person it thinks fit to be an Ins- pector for any or all of the purposes of this Act, and may define the area within which he shall exercise the Powers and perform the duties incidental to such purpoyes. ion 6 sntus of veteri. naw Surrans and Of shall Ée Inspectors 060. of section 21 of the Indian Penal Code.. (Qåbstituted forth. w&ds "State by the Punjab Reorganisation iQh) (Adaptation of Laws on State and concurrent subjects)Order,. 1968,

2. Substituted for the words "animals" by Punjab Act No. 33 of 1961. Powers of Inspectors. [1948 : East Pb. Act XLvn 314 LIVESTOCK AND BIRDS CONTAGIOUS DISEASES 8. An Inspector may, subject to any rules made in this behalf by the 1[Central Government], enter and inspect any land or building or other place or any vessel or vehicle for the purpose of exercising the powers or performing the duties conferred and imposed on him by or under this Act CHAPTER 11—The Control of Disease Power to regulate 9. (1) The 1[Central Government] for the purpose of interstate trade preventing the outbreak or spread of any scheduled disease, and to control transport of animals, by notification prohibit or regulate in such manner stock or birds] and to such extent as they may think fit— thing which may (a) the bringing or taking into territory spread disease of Chandigarh] or any Specified place therein of any 3[livestock or birds], alive or dead or of any parts of 4[or birds] or of any kind of fodder, bedding or other thing which may, in their opinion, carry infection • (b) the removal from any specified part of the 2[Union territory of Chandigarh]. of any such 3[livestock or birds], parts of 3[livestock or birds] or things.. (2) The 1[Central Government] may, by notification, specify the season or seasons during which route or routes by which 3[livestock or birds] may be imported into the 4[State] and no person shall import 8[livestock or birds] into the 4[State] otherwise than during the season and by the route so appointed. (3) The 1[Central Government] may establish quarantine stations for the inspection and detention of such 3[livestock or birds] along the route appointed under sub-section (2). (4) The period of detention of 3[livestock or birds] at a quarantine station for the purpose of inspection, vaccination, if necessary, marking and Issuing of a permit for the release of 3[livestock or birds] from the station shall be such as may be prescribed by the 1[Central Government]. • Substituted for the words "State" by the Punjab (Chandigarh) (Adaptation of Laws of State and Concurrent Subjects) Order, 1968. • Substituted for word "animal" by GJA 6 'Substituted for the word "Punjab" by ibid. by Adaptation of Laws Orders, 'Substituted for word "livestock or birds" : East. Pb. Act XLVII. LIVESTOCK AND BIRDS 315 (5) The 1[livestock or birds] so detained shall remain under the care of the person in charge who shall be responsible for their feeding and upkeep and for the payment of fee for their vaccination and marking as may be prescribed by the 2[Central Government]

10. The 2[Central Government], for the purpose of Power to control preventing the outbreak or spread of any scheduled disease, markets, fairs, etc. may, by notification, prohibit or regulate, in such manner and to such extent as it may think fit, the holding of 3[markets, fairs, exhibitions or other concentrations of livestock or birds] in any specific area

11. The 2[Central Government] may by regulations Power to control traffic in infective prohibit or limit the sale of or other traffic in infective animals. 1[livestock or birds] or in the carcasses of 1[livestock or birds] which at the time of their death were infective or in any parts of such 1[livestock or birds], or litter, feeding utensils or other things which may carry infection. 12. (1) Every vessel or vehicle used by a 1[livestock or birds] shall be cleansed and disinfected periodically in such manner as the 2[Central Government] may by regulations prescribe. (2) The 2[Central Government] may appoint places, where an Inspector may detain and inspect any such vessel or vehicle and, if it is not in a sanitary condition, the Inspector may require it to be cleansed and disinfected in the manner prescribed within such time as he may appoint. (3) If such vessel or vehicle is not so cleansed and disinfected within the appointed time the Inspector may cause it to be cleansed and disinfected at the expense of its owner. (4) This section shall not apply to the rolling stock of any railway or any aircraft. i Punjab Act No. 33 of 1961. on state and concurrent subjects) Order, 1968. or other animal markets, animal fairs; animal exhibition of animals" by Punjab Act No. 33 of 1961. 316 LIVESTOCK AND BIRDS [1948 : East Pb. Act CONTAGIOUS DISEASES 13. Every owner or person in charge or every person to report on bringing into the 1[Union territory of Chandigarh] and every veterinary practitioner who has been called to treat scheduled disease. 2[livestock or bird] which he has reason to believe to be infective shall forthwith report the fact to the Inspector exercising powers in the area

14. Subject to such rules as may be made in this Power of Veterinary hold on behalf by the 8[Central Government], the Veterinary Surgeon may make or cause to be made a post-mortem examination of any 2[livestock or bird] which at the time of its death was infective, or is suspected to have been then infective and for this purpose he may cause the carcass of any such 2[livestock or bird] to be exhumed. 15. (1) Where an Inspector has reason to believe Power to isolate that any 2[livestock or bird]

IS infective he may, by order in o r birds] writing, direct the owner or person in charge of such 2[livestock or bird] to keep it where it is for the time being or to remove it or allow it to be removed to such place of isolation or segregation and within such period as may be specified in the order . Provided that where there is no person in charge of the 2[livestock or bird], and the owner is unknown or the order cannot be communicated to him without undue delay or the person in charge of the 2[livestock or bird] refuses to do as ordered above the Inspector may seize the 2[live• stock or bird] and remove it to a place of isolation or segregation. (2) The Inspector shall forthwith report every order of seizure under this section to the Veterinary Surgeon

16. On receipt of a report under sub-section (2) Of Examination by the Veterinary Sur- section 15 the Veterinary Surgeon shall examine the 2[live• geon.stock or bird] as soon as possible and may also examine 1Substituted for the words "State Of Punjab" by the Punjab Reorganisatwn (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968• *Substituted for the word 'Canimal" by Punjab Act No. 33 of 1961• tion 3Substituted for the words "State Government " by the Punjab Reorgan:sa (Chandigarh) (Adaptatioã of Laws on State and concurrent Subjects) Order, 1968• p 1948 : East Pb. Act XLVII.j LIVESTOCK AND BIRDS 3i9 CONTAGIOUS DISEASES all l[livestock or birds] which it has been in contact with or in close proximity to, and for this purpose may submit any l[livestock or bird] to any test which the 2[Central Govern- ment] may by regulations prescribe in this behalf. 17. (1) If, after such examination the Veterinary Action after exa, Surgeon is of opinion that any l[livestock or bird] is not by tho infective, the Inspector shall forthwith return it to the Veterinary Surgeon. pers n who in his opinion is entitled to possession of it: provided that where such person cannot without un- due inconvenience be found, the Inspector shall send the l[livestock or bird] to the nearest cattle-pound, or deal with it in such other manner as the 2[Central Government] may by rules prescribe in this behalf. (2) If after such examination, the Veterinary Surgeon certifies in writing that any 1 livestock or bird] is affected with a scheduled disease, dea with it in such other man- ner as the 2[Central Government] may by rules prescribe in this behalf. (3) If, after such examination, the Veterinary Surgeon certifies that the l[livestock or bird] is infective though not diseased the l[livestock or bird] shall be dealt with in such manner as the 2[Central Governmentl may, by rule, prescribe in this behalf

18. Compensation may be paid to the owner of for l[livestock or bird] if destroyed under section 17, and such birds] destroyed.compensation shall be determined in accordance with rules to be made in this behalf by the 2[Central Government] . Provided that— (i) no compensation shall be paid to any person convicted of any offence punishable under this Act, committed in respect of such l[livestock or bird] (ii) no compensation shall be paid in respect of any l[livestock or bird] which, when it was brought into the 3(Union territory of Chandigarh], was affected With the disease on account of which it was destroyed. 1Substituted for the word "animal" by Punjab Act No. 33 of 1961 • *Substituted for the words "State Government " by the Punjab Reorønisa10D (Chandigarh) (Adaptation of Laws on State and concurrent subJect9 Order, 1968. 'Substituted for the words "Stace df by W. 318 LIVESTOCK AND BIRDS [1948 : East Pb. Act CONTAGIOUS DISEASES 19. (1) Subject to rules to be made in this behalf disinfection of in- by the 1[Centra1 Government], the Veterinary Surgeon vessels or vehicles. ' may, by order in writing, require the owner, occupier or person in charge of any building, yard, vessel or vehicle in which there has been an infective 2[livestock or bird] to have such building, yard, vessel or vehicle disinfected, and the internal fittings thereof and other things found therein or near thereto be disinfected or destroyed in such manner and to such extent as may be specified in the order. (2) Subject as aforesaid, if such owner, occupier or person fails to comply with the requirements of such order within a reasonable time, the Inspector may cause such building, yard, vessel or vehicle to be disinfected, and the internal fittings and other things to be disinfected or destroyed at the expense of the owner. 20. (1) If the Inspector has reason to believe that Declaration of pri- places• there is an infective 2[livestock or bird] in any field, yard or building in which 3[livestock or birds] are kept, tempo- rarily or otherwise, he shall at once by order in writing, declare the place to be an infected place and shall deliver a copy of the order to the owner, occupier or person in charge of the place and report his action to the Veterinary Surgeon. (2) This section shall not apply to any place owned by or under the control or management of any local autho• rity or railway administration or to any airfield where 3Llivestock or birds] are temporarily kept for sale, exhibi- tion or in transit. Examination of in- 21. (1) The Veterinary Surgeon shall, as soon as fected place by Veterinary Surgeons. possible, examine the infected place and the 3[livestock or birds] kept therein, and

may cancel or confirm the order Of the Inspector. (2) If he confirms the order he may cause notice to be served on the owners, occupiers or persons in charge Of all places in Which 3[livestock or birds] are kept temporarily or otherwise, within a radius not exceeding one mile from the infected place, delcaring such places to be infected places. words "State Government by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968• *Substituted for the word "animal" by Punjab Act No. 33 of 1968• 'Substituted for the Word " 1948 : East Pb. Act XLVII.] LIVESTOCK AND BIRDS 319 CONTAGIOUS DISEASES The Veterinary Surgeon shall forthwith report his action under this sub-section to the authority prescribed by the Government] in this behalf. 22. (I) Where the Veterinary Surgeon has reason Declaration of to believe that infective 2[livestock or birds] are or have public infected been in any place owned, controlled or managed by an places. local authority, or railway administration or aircraft company where 2 livestock or birds] are temporarily kept for purposes of sa e, transit or exhibition, he may, by order in writing, declare such place to be an infected place. (2) The Veterinary Surgeon shall cause a copy of such order, in the vernacular of the locality, to be exhibit- ed prominently in the infected place, and he shall deliver copies at the omce of the local authority, or to the nearest station master of the railway administration, or to the officer-in-charge of the air-field as the case may be and shall also send a copy to the nearest police station ; and he shall report his action forthwith to the authority prescribed by the 1[Central Government] in this behalf. 23. (1) On receipt of the report of the Veterinary Declaration of in- Surgeon under sub-section (2) of section 21 or uncer sub- areas by the section (2) of section 22 and after such further inquiry, if any, as it may think fit, the 1[Central Government]— (a) may cancel any delcaration made under sec- tions 20, 21 or 22 ; or (b) may confirm such declaration either with or without modifications. (2) Where the '[Central Government] cancels any declaration, the Inspector shall give notice of the cancel- lation to all persons to whom copies of such declaration were delivered or on whom notices of such declaration were served. (3) Where the 1[Central Government] confirms such declaration either with or without modifications the ILCentral Government] shall, by notification defining the limits of the area to which the notification shall apply, declare such area to be an infected area. 1Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and concurrent subjects) Order,1968. 'Substituted fortheword "animals" by PunjabAct No. 33 of 1961. 320 LIVESTOCK AND BIRDS [1948 : East Pb. Act CONTAGIOUS DISEASES (O On the issue of such notification any declared by the Inspector or Veterinary Surgeon to infected place and not included in the infected area so fined shall cease to be an infected place, and the Inspector shall give notice accordingly to the owner, occupier or person in charge of such place. (5) The Inspector shall cause to be exhibited in some prominent place in the infected area and in the vernacu. lar of the area, a copy of the notification under sub. section (3), and shall also cause to be so exhibited a copy of any subsequent notification adding to, amending, vary. ing or rescinding such notification. 24. (I) No peson shall remove from any infected Removal of or birds) and other thing area or place any l[livestock or bird], dead or alive, or any from infected areas part of [livestock or bird] or any fodder, bedding or other or thing used in connection with 2Livestock or bird], save in accordance with the conditions of a licence granted by the Inspector. (2) Nothing in this section shall prevent the transit by railway through an infected area or place of any 21livestock or birdl or thing Provided that where any 2[livestock or bird] or other thing described in sub-section (1) while in transit through an infected area or place is unloaded therein, it shall not be removed therefrom save in accordance with sub-section (1). P0*r to return 25. Where any 2[livestock or birdl or thing is remo- ved from an infected area or place otherwise than in accor- dance with a licence granted under section 24, any Inspector or police officer may require the owner or person in charge Substituted for the word "animal" by Punjab Act No. 33 of 1961. *Substituted for the word • •animals" by ibid. 1948 : East Pb. Act XLVII.] LIVESTOCK AND BIRDS 321 CONTAGIOUS DISEASES of such t[livestock or bird] or thing to return it to such area or place, and if the owner or person in charge fails to do so Within a reasonable time, may cause it to be returned at the expense of the owner without further delay provided that nothing in this section shall affect the powers of an Inspector under section 15 to deal with in- fective animals

26. Where by any notice, requisition, or order under Timefor complying this Act or under any notification or rule issued thereunder with and enforce- any person is required to take any measures or to do any- ment of orders.thing in respect of any property owned or occupied by him or in his charge,

a reasonable time shall be specified in such notice, requisition or order within which such measures shall be taken or such thing shall be done, as the case may be

27. Where any action may be taken under this Chapter—Recovery of expense in respect of any property at the expense of the owner under incurred thereof, the officer taking such action may frame a certificate stating the amount of the expense incurred and the person from whom such amount is recoverable, and any Magistrate to whom such certificate is presented may after such inquiry as he may think fit, recover such amount as if it were a fine imposed by him on such person

CHAPTER III—Penalties and Procedure 28. Whoever— Punishable for contraventions of Acts Regulations and (a) removes from any part of the 2[Union territory Rules. Of Chandigarh] any 1[livestock or bird] alive or dead, or any part of 1[livestock or bird] or any fodder, bedding or other thing in contravention of a notification issued under section 9, or imports 3[live stock or birds] in contravention of sub-section (2) of that section; 1Substituted for the word "animal" by Punjab Act No. 33 of 1961. •Substituted for the words "State Government" by the Punjab Reorganisation Act, 1956 (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. 1 Substituted for the word "animals" by Punjab Act No. 33 of 1961, 322 LIVESTOCK AND BIRDS [1948 : East Pb. Act XLVII (b) holds or promotes or takes part in any market fair, exhibition or other concentration 1[livestock or birds] in contravention of notification issued under section 10 (c) sells or otherwise transmits in, or attempts to sell or transmit in, an infective 2[livestock or bird], or in anything mentioned in section 11 which may carry infection, or the carcass of 2[livestock or bird] which at the time of its death was infective in contravention of section 11 • (d) being a common carrier fails to cleanse or disinfect any vessel or vehicle used for the transport of 1[livestock or birds] in such manner as may be required under sub-section (1) of section 12 or as may be required by the Inspector under sub-section (2) of that section • (e) fails in contravention of section 13, to report that 2[livestock or bird] is infective ; (f) fails to comply with an order made by an Inspector under sub-section (1) of section 15 ; (g) fails to comply with an order made by the Veterinary Surgeon under sub-section (1) Of section 19 (h) removes any 2[livestock or bird] or thing from any infected place in contravention of section 24 ; shall be punishable with fine which may extend, in the case of a first conviction, to one hundred rupees and, in the case of a second or subsequent conviction, to five hundred rupees. Penalty for keeping 29. Whoever keeps or grazes in or on any forest, open or grazing infective animal in unenclosed land to which other persons have a right of access for their 1[livestock or birds], any 2[livestock or bird] which he knows to be infective shall be punishable with fine which may extend in the case of a first conviction to one hundred rupees or in the case a second or subsequent conviction to five hundred rupees *Substituted for the word "animals" by Punjab Act No. 33 of 1961. 'Substituted for the word '4 animal" by 1948 : East Pb. Act XLVII.) LIVESTOCK AND BIRDS 323 CONTAGIOUS DISEASES 30. Whoever brings or attempts to bring into any market, fair, exhibition or other concentration of '[live- ing stock or birds] any 1[livestock or birds] which he knows to be infective 1[livestock or bird] be infective shall be punishable with fine which may extend in the case of a first conviction to one hundred rupees or in the case of a second or subsequent conviction to five hundred rupees

31. Whoever places, or causes or permits to be placed, in any river, canal, or other water, the carcass or part of the carcass of any 2[livestock or bird] which at the time of its death was infective or which has been destroyed as being infective or suspected of being infective shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend in the case of a first conviction to one hundred rupees or in the case of a second or subsequent conviction to five hundred rupees, or with both imprisonment and fine

32. Whoever, without lawful authority, disinters or for disinter causes to be disinterred the carcass or part of the carcass intended for disposal of any 2[livestock or bird] which at the time of its death was or birds]. infective or which has been destroyed as being infective or suspected of being infective shall be punishable with fine which may extend in the case of a first conviction to one hundred rupees or in the case of a second or subsequent conviction to five hundred rupees. 33. (1) Whoever being an Inspector maliciously and vexatiously enters or inspects any land or building or other public and vexatious place or any vessel or vehicle or seizes or detains any Inspector. 2[livestock or bird] shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred

rupees, or with both. (2) No prosecution under this section shall be instituted after the expiry of one month from the date on which the offence is alleged to have been committed. 8[34. iSubstitutedfortheword "animals" by Punjab Act N). 33 of 1961. for the word "animal" by Ibid. a Omitted by ibid. 324 LIVESTOCK AND BIRDS [1948 : East Pb. Act XLVII CONTAGIOUS DISEASES institution of pro

35. No prosecution under this Act, except under section 33 shall be instituted except by or under the authority of the Veterinary Surgeon or the Inspector]

36. No magistrate shall try any offence under this Act unless he is a 2[Judicial Magistrate of the first class or Jurisdiction of magistrates.a Judicial Magistrate of the second class specially empowered in this behalf by the High Court]

37. Save as provided for in section 18 no person Bar of claim to shall be entitled to any compensation in respect of the compensation.destruction of any 3Livestock or bird] and thing or in respect of any other loss, injury, detriment or inconvenience caused to him by reason of anything done under this Act in Delegation. good faith. 4[37-A. The 5[Central Government] may, by notification, delegate all or any of its powers under this Act to any of its officers.] Power of Central 38. (1) The 5[Central Government], may make 6rules Government to make regulations consistent with this Act for all or any of the following purposes, namely (a) to define the powers of entry and inspection of an Inspector under section 8 • (b) to prohibit or regulate the holding of markets, fairs, exhibitions or other concentrations of 7[livestock or birds] under section 10 (c) to appoint places for the disinfection of vessels or vehicles under sub-section (2) of section 12, and for the isolation or segregation of 7[livestock or birds] under section 15 (d) to regulate post-mortem examination of 7 [Livestock or birds] under section 14, and the disposal of 7[livestock or birds] under sub-section (1), (2) and (3) of section 17 ; IAdded by Punjab Act No. 33 of 1961. *Substituted for the words "magistrate of the first class, or a magistrate of the second class especially empowered in this behalf by the State Government" by Punjab Act No. 25 of 1964. 'Substituted for the word "animal" by Punjab Act No. 33 of 1961. 'Inserted by Ibid. 'Substituted for the words • 'State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of laws on State and Concurrent Subjects) Order, 1968. ed 'For rules, see Punjab Government notification No. 2595-Vety 51/1534, dated the 18th August, 1953, contained in Punjab Government Gazette, 1953, Part I, part 8 'Substituted for the word "animals" 1948 : East Pb. Act XLVII.) LIVESTOCK AND BIRDS 325 CONTAGIOUS DISEASES (e) to provide for the determination of the compensation payable under section 18 • (f) to regulate the exercise of the powers of the Veterinary Surgeon and Inspector under section 19 (g) to prescribe the authority referred to in sub-section (2) of section 21 and sub-section (2) of section 22 • (h) to prescribe the form and contents of the licences to be granted by an Inspector under section 24 and the circumstances under which they may be granted, (i) to prescribe scales of charges to be followed in certificates under section 27 for expenses incurred on behalf of an owner (j) to regulate the isolation, detention, treatment (including sterilization and inoculation), and disposal of 1[livestock or birds] which are infective or suspected of being infective, and the disposal of carcasses and parts of carcasses ; (k) to regulate the duties and powers of Inspector and prescribe their qualifications (l) to prescribe the manner in which any report or notice under the Act shall be made or given ; or entry into (m) to prohibit or regulate the territory of Chandigarh] the 21 Union or place part any specified or thereof, and the movement from one place to another, in the 2[Union territory of Chandigarh] of 1[livestock or birds] alive or dead, or parts of 1[livestock or birds] or fodder, bedding or other thing (n) to prohibit or limit sale or traffic in infective 1[livestock or birds] or carcasses of infective 1Livestock or birds] ; substituted for the word "animals" by Punjab Act No.33 of 1961. *Substituted for the words "State of Punjab " by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent subjects) Order, 1968. 326 LIVESTOCK AND BIRDS [1948: East Pb. Act CONTAGIOUS DISEASES (o) to regulate the disinfection of vessels or vehicles used by common carriers, the cleansing and disinfection of buildings, yards and other places used for 1[livestock or birds,] and the destruction of infected matter or things found therein or near thereto (p) to prescribe the tests to be applied to 1[livestock or birds] suspected of being infective (q) to prescribe the manner in which 1[livestock or birds] shall be destroyed, and the manner in which carcasses or parts of carcasses, fodder, bedding or other things seized under the Act shall be disposed of ; and (r) to prescribe the period of detention and the amount of fee for vaccination and marking at the inter-2[State] quarantine stations. (2) In making a rule under this section the 3[Central Government] may direct that a breach of it shall be punishable with fine which may extend in the case of a first conviction to one hundred rupees or in case of a

second or subsequent conviction to five hundred rupees. 39. (1) The power to make regulations and rules and conditions conferred by this Act is given subject to the condition Of the regulations or rules being made after previous publication. (2) All regulations and rules made by the [Central Government] under this Act shall be published in the Protection to per- 40. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act. 1 Substituted for the word "animals" by Punjab Act No. 33 of 1961. 'Substituted for the word 'Province" by the Adoption of Laws order, 1950' substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Law on state and concurrent Subjects) order, 1968• LIVESTOCK AND BIRDS [1948 : East Pb. Act XLVII. CONTAGIOUS DISEASES APPENDIX 1 327 Vernacular names. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11

12. English names. Rinderpest or Cattle Plague Foot-and-Mouth Disease Haemorrhagic Septicaemia Blackquarter. Anthrax. Tuberculosis. Johne's Disease. Glanders and Farcy. Epizootic Lymphangitis. Dourine. Rabies. Surra

1. Mata, Wah, Sitla, Mok, Zehmat 2. Rora, Mun-Khur. Gal-Ghotu, 3. Garhi Phar, Suja

4. Sat, Goli

5. Tap-i-Dik

6. Purana Dust

7. Bad Kanar

8. Zeharbad

9. Atshik-i-Aspan

10. Halkapan, Bawlapan, Pagal- 11. pan. Pheta, Tebersa, or Sokra. 12.

