

CHHATTISGARH AGRICULTURAL CATTLE PRESERVATION ACT, 2004

fiaæ) zif. 30-5-2001. 228] 11 2006—hTrq 20. 1928 11 2006 11392/300/21- fHRfråfud 3-9-2006 gggRT f*QT 455 456 2. 3. 4. 5. 6. 7. 8. 9. 10. 13. 16. 17. 18. 1 2006 28 2006) 2004 qi-a •qfi-qv--q ?1Tfia. fill. 11 2006 28 2006) 2004 -sq-ä -äff\$83TÄ, 2. 3. (1) .(2) (3) (85) (q) 2004 t. -i--äf , , q9-TT — *ATT. '4 Elh kh_æ Nh 192 (Z) EL6L 22.u E ' l? lh.L2 L lilh LII_V t-sE2 E i-+- lkb •9 (0 99 15. 17. 18. 19. 20. 21, (3) (4) (2) (O 1973 (1974 2) goc -ffÉf 1860 (1860 45) 21 fäfr 1959 (1959 IS) ara, ff-4fr4 art -ez-r# 456 (4) (1) (2) (3) (4) (5) TITi •qi-g 2004 28 2006) 11 2006 qm-2 (VA) ftaiÄi 11 2006 348 (3) 11 2006 CHHATTISGARH ACT (No. 28 of 2006) THE CHHATTISGARH AGRICULTURAL CATTLE PRESERVATION ACT, 2004 TABLE OF CONTENTS Section : 1. 2. 3. 4. 5. 6. 7. 8. 9, IO, 11. 12. 13. 14. 15. 16. 17. 18. 19. 20, 21. Short title, extent and commencement. Definitions. Appointment of veterinary officer. Prohibition of slaughter of Agricultural cattle. Prohibition on possession of beef. Prohibition on transport of Agricultural cattle for slaughter. Possession of seized Agricultural cattle and monthly report. Strengthening of institutions. Levy of charges. Penalties, Burden of proof on accused. Offences to be cognizable and non-bailable, Power of entry and inspection. Provision of hail. Rehabilitation. Protection of action taken in good faith. Officers exercising powers under this Act deemed to be public servants. ACI to have overriding effect, Power to remove difficulties. Power to make rules. Repeal and Saving. Schedule 456 (6) Short title, extent and Commencement. Definitions. Appointment Of vete- rinary officer. Prohibition of Slaugh- ter of Agriculturai cattie. 2006 CHHAVFISCJARH ACT (No. 28 of 2006) THE CHHATTISGARH AGRICULTURAL CATTLE PRESERVATION ACT, 2004 An Act to provide, in the interetn of the general public and to maintain communal harmony and peace, for prohibition o! slaughter of Agricultural cattie and {or matters connected thereto. Be it enacted by the Chhattisgarh Legislature in the fifty-fifth year of the Republic of India as follows :— (1) (2) (3) This Act may be called the Chhattisgarh Agricultural cattie Preservation Act. It _extends to the whole of the State of Chhattisgarh. It shall come into force from the date of its publication in khe Official Gazette. 2. 3

4. In this Act, unless the context otherwise requires,—(a) (b) (c) (d) (e) (g) (h) "Beef means nesh of Agricultural cattle ; "Agricultural cattle" means an animal specified in lhe schedule "Competent Authority" means •a person appointed by the State Government by notifiiction to perform in any local area specified therein, the functions a Competent Authority under this Act; "Institution" means any charitable institution registered under any enacv;nent for the time being in force, established forthe purpose of keeping, breeding and main- taining Agricultural catiie or for the purpose of reception. proteciion. care. management and treatment of infirm, aged and diseased cow progeny: "Slaughter" means killing by any method whatsoever and W.clude.s or inlicting of physical injury which in the ordinary course Wii) cause death: "Transport" means earring Agriculturalcattle through vehicle walking or through any other means; "Veterinary Olficer" meass a person -appointed as a officer under section 3; "Vehicle" means any mechanically or manually driven con.v•yancce used on land. water or ait. The State. Government, may by a general special order, appoint for the pe;rpose of this Aet. any person, or class of persons. to be [he veterinary. officer for a local atea. No berson shall slaughter or cause tobe s]laughtered or offer or cause to slaughter or any Agricultural cattle. 5. 6. 7. 8. 9. IO. 11. 12. 13

14. No person shall possess beef of any Agricultural cattle slaughtered in contravention of the provisions of this Act.No person shall sell, or transport or offer to transport or cause to be transported any Agricul- tural cattle from any place within the state to any place within the state or outside the State. for the purpose of its slaughterin contravention of the provision of this Act or with the knowle- dge that it will be or is likely to be, so slaughtered. Till the conclusion of prosecution, seized Agricultural cattle will be under custody of nearest registered Goshala, Gosadan, Gorakshan sansthan or other registered sansthan and they are required to provide monthly report to concerned court in prescribed proforma. The State Government shall take necessary steps for strengthening of institutions which are engaged in welfare activities of Agricultural cattle. The person incharge of the institution may levy such charges as may be mescribed, for care and maintenance of Agricultural cattle whose custody was given to the institution under section 7. from their ow•ners. Whoever contravenes or attempt to contravene or abets the contravention of the provisions of section 4, 5 and 6 shall be punished with imprisonment of either description for a term which may extend to three years, or with fine which may extend to ten thousand

rupees or with both. In any trial for an offence punishable under section 10 for contravention of the provision of section 4, 5 and 6 of this Act the burden of proving that the slaughter, transport or sell of Agricultural cattle was not in contravention of the provisions of this Act shall be on the accused, Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (No. 2 of 1974) all offences under this Act shall be cognizable and non-bailable. (1) (2) (3) (4) For the purpose of enforcing the provisions of this Act the Competent Authority or the Veterinary officer or any person authorised by the Competent Authority or the Veterinary officer in writing in this behalf, shall have power to enter and inspect any premises within the local limits of his jurisdiction, where he has reason to believe that an offence under this Act has been, is being or is likely to be committed. Every person in occupation of any such premises as is specified in sub-section (1) shall allow the Competent Authority or the Veterinary Officer or any person authorised by the Competent Authority or the Veterinary officer in writing, such access to the premises as may be required for the aforesaid purpose, and shall answer any question put to him by the Competent Authority, the Veterinary officer or the person authorised, as the case may be, to the best of his knowledge and belief. The Competent Authority or the Veterinary Officer or any person authorised in writing, in this behalf, shall have power to stop and search any vehicle to ensure the compliance of Section 6 of this Act. The provisions of section 100 of the Code of Criminal Procedure, 1973 (No. 2 of 1974) relating to search and seizure shall, so far as may be, apply to searches and seizures under this section. Prohibition on Possession Of beef Prohibition on port of Agricultural cattle for slaughter, Possession of seized agricultural cattle and Monthly reports. Strengthening of institutions. Levy of Charges' Penalties, Burden of proof on accused. Offences to be cognizable and non-bailable. Power entry and inspection. Provision 10' bail No person accused of an offence punishable under this Act shall be released on bail or on his own bond unless the public prosecutor has been given an opportunity to oppose the application for such release. 456 (8) Rehabilitation. Protection of action taken in good faith. Officers exercising powers under this Act, deemed to be public servant. Act to have overriding effect. Power to remove difficulties. Power to make rules. Repeal and Saving. 15. 16. 17. 18. 19. 20. 21. 11 2006 The State Government may make rules for the economic rehabilitation of such persons. If any, to be directly affected by this Act. No suit, prosecution or other legal proceedings shall be instituted against any person anything which is done or intended to be done in good faith under this Act, or the rules made there under. All Competent Authorities, Veterinary Officers and other persons exercising powers under this Act shall be deemed to be public servants within the meaning of Section 2 of the Indian Penal code, 1860 (45 of 1860). The provisions of this Act shall have an overriding effect notwithstanding any provision in any other law for the time being in force or any instrument having effect by any other than this Act. If any difficulty arises in giving effect to the provisions of this Act, the State may make such provisions or give such directions not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulties. (1) (2) The State Government may by notification, make rules for carrying out the provisions of this Act which shall have effect from the date of its publication or such other date as may be specified in this behalf. The rules made under this Act shall, as soon as possible after they are published be laid on the table of the Legislative Assembly. Agricultural Cattle Preservation Act 1959 (Act No. X VIII of 1959) is hereby repealed, the repeal shall not affect (1) (2) (3) the previous operation of any law so repealed or anything done or suffered there under; or any penalty, forfeiture, or punishment incurred in respect of any offence committed against any law so repealed; or any investigation, legal proceeding or remedy in respect of any penalty, or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed. 2006 SCHEDULE Section 2 (b) Agricultural cattle— 2. 3. 4

5. Cows of all ages. Calves of cows and of she buffaloes. Bulls. Billies. Male and Female buffaloes. 2006. ft. 2-22-qTIZTÄZ/38 f@.ü. 30-5-2001." 13 2012—Ttß1 23, 1933 3iR 2012 262m. 15/21-37/YT./Ü. 09-01-2012 -q-ft-q. 14 (5) 14 (6) 13 2012 3 Ft 2012) () afufizrq, 2011 2004 (28 -qfi-«pv 3Tfr4fr-q, 2011 2. (2) (3) 3-Tfrfrzrq, 2004 28 2006) (Gi 3424@:— *-€4TÜT -Q *RIOT, (O 3. 4, 5. 6. (1) (2) "(2) (3) 13 2012 3, 13 17 3_1-rqr BTfrFft" frfr-fiT -GT -q--qlftd 3-lfüfru-q 10 '+' 14 (7) 17 10 2. 3

4. ATZT-qfÉAL 13 2012 26214 15/21-3Un.rø. 348 *-a-v-g (3) 2011 3 q 2012) 3rq 14 (8) Short and ment- 13 2012 CHHATTISGARH ACT (No. 3 of 2012) THE CHHATTISGARH AGRICULTURAL CATTLE PRESERVATION (AMENDMENT) ACT, 2011 An Act to amend the Chhattisgarh Agricultural

Cattle Preservation Act, 2004 (No. 28 of 2006). Be it enacted by the Chhattisgarh Legislature in the Sixty-second Year of the Republic of India as follows title, extent commence- (1) (2) This Act may be called the Chhattisgarh Agricultural Cattle Preservation (Amendment) Act, 2011 It extends to the whole of the State of Chhattisgarh. It shall come into force from the date of its publication in the Official Gazette. Amendment Section 2. Amendment Section 3, Section 13 2. 3

4. For section 2 of Chhattisgarh Agricultural Cattle Preservation Act, 2004 (No.28 of 2006) (hereinafter referred to as the Principal Act), the following shall be substituted. namely In this Act, unless the context otherwise requires,— (a) (b) (c) (d) (e) (g) (h) "Agricultural Cattle" means an animal specified in Schedule I: "Agricultural Cattle Welfare Officer" means an officer who shall work for the implementation of the provisions of this Act as search and seizure of agricultural cattle, search and seizure of vehicles, to take cattle in to custody and to initiate prosecution: "Beef" means flesh of agricultural cattle; "Competent Authority" means such authority or person as may be prescribed; "Institution" means any charitable institution registered under any enactment for the time being in force, established for the purpose of keeping, breeding and maintaining agricultural cattle or for the purpose of reception, protection, care, management and treatment of infirm, aged and diseased cow progeny: "Schedule" means schedule appended to this Act "Slaughter" means killing by any method whatsoever and includes maiming or inflicting of physical injury which in the ordinary course will cause death, "Transport" means carrying agricultural cattle through vehicle or through walking or through any other means; "Vehicle" means any mechanically or manually driven conveyance used on land water or air." and Section 17. Amendment Section 6. of In Section 3, Section 13 and Section 17 of the Principal Act the words "Veterinary Officer" wherever they occur shall be substituted by the words "Agricultural Cattle Welfare Officer". (1) Section 6 of the Principal Act, shall be renumbered as; (2) 13 2012 After sub-section (1) of Section 6 of the Principal Act, the following shall be added. namely (3) Whenever any person transports or causes to be transported in contravention of provisions of sub-section (1) any agricultural cattle as specified in the Schedule, such vehicle or any conveyance used in transporting such animal alongwith such agricultural cattle shall be liable to be seized by such authority or officer as the State Government may appoint in this behalf. The vehicle or conveyance so seized under sub-section (2) shall not be released by the order of the court on bond or surety before the expiry of six months from the date of such seizure or till the final judgment of the court, whichever is earlier and such vehicle shall also be liable for confiscation at the end of the trial. 5

6. In Section 10 of the Principal Act, for the word "three" the word "seven" and for the word "ten" the word "fifty" shall be substituted. The Schedule appended to the Principal Act, shall be substituted by the following, namely: "SCHEDULE-I [See Section 2 (a)] Agricultural Cattle— Amendment Section 10. Amendment Schedule. 2. 3. 4

5. Cows of all ages. Calves of cows and of she buffaloes. Bulls. Bullocks. Male and Female buffaloes." 14 (9) 10-2012." of of -01-2012