

CHHATTISGARH PASHU (NIYANTRAN) ADHINIYAM, 1976

'1 ago 27 i976i 1352 till, ' 27.\$7€. _1 rfrfötq ' i 976 1355 1) cftq•r€, () crt*rx, 27 1976 MADHYVR4DF, Si1 ACT No: 21 OF 1576. , THE MADHYA PRADESH PASHU (NIYANTRAN) ADHINIYAM, 1976 die assent of the Governor•on the 9th Margh, 19 76; assent fir" Spu blished in the *'Madhya Pradesh. Gazette" (E*traocdinar}); dated . the 27th March, 1976.] • AnrtAZt Io povidie in the interests of the genåal Public för the n,'aintenancf and movement of cattle. It enacted by the Madhya Pradesh - Legislatüre in, the Twenfyscventh Year of the Republic of India as follows 135 • . Vli (1) •This Act may be called the Madhya Pradesh Shprt . title, '(Niyaptran) Adhiniyam,• •1976. extent 'and •commencement. (2) It exte ds to the whole of the State of Madhya Pradesh. (3) Ilt shall come intp force on such date and in such areas as St:atb GéVernment mây, by notification, apÉoint and different • dafes may be appointed for different areas. 2'. \ In this Act, unless the conteit: otherwise Definitions. ' (h) "Cattle". means any of the animals specified • in the Schedule; ! (b) means any body corpo ate constituted or registered under any enaqtment forthe time force' • a company, firm other associa- tion of indiViduals; (c) •t'director'i in relation to a firm mean9 a partner in the firm; (4) "notified order" means, an order notified iWthe official I Gazette. 3: The State Goyernment may, by notificahon in the official Amendment OE Gaiettet, add to or alter •or amend •thé Schedule and on such noti- Schedule. I ficati01i •being issued, the Schedulc shall bc dcenied to be amcned 4.i (1) If the State Government is of the opinion that it is Powers to • necessary pr expediegt so to do for the purpose of promoting the maintenance.' public:safety pr public convenience or publiqhealth, it rppy,i by a distri tion, etc. notified order; prohibit. or regulâte the keeping, maintaining or mov•ement of'any cattle in' any •pârticular plac& or • arca epeicified hsuch order. (2) 'Wiéhout prejudcc.to the-generality of fli! powers conferred py-subLsection (I), and lin ordg •made thereUn4er may provide— (a) for prohibitifig or regulating stalling.ol herding Gattle in regard to the number thereof, a' d the place •Ito be used for the purpose; 1358 Publition and service •OE orders. Delegation• i' powers. Penalties. 27 1976 (b) for the inspection of the Cattle and rcéulating the 'constru- dimension, ventilation, lighting, • cleaning, drainag&and water >upply of dairies ånd càttle sheds, im the occupation of persons following the ade of dairy men or milk keller; (c) for establishment or construction of Gwal lonies, - and cattle peks•, (d) f' •prohibition or regu ation of .i 05t of cattl in the specified place or ea; (e) for regulating y licenc , . permit or therwisejan of the • matters un erthe Adt;• (f) for any incidental or su .plementary matters! ingludirigthe charging of the fees} 5. (I) An order made und section 4i sÅaII—! (a) if.itis an •order of gene al nature or affectínu a: persons, be notifie in the official Gàzette;! (b) if it is an order' affecting an ' indiv?dual bersoni pr. an , individual corporatibn. be: served in the • manner. (2) Where question arises WhetheF a person •was dyly. in- ormed of an ordeF made in pursuance ofspction co@pliene.with the requïrements@f sub-section (I)or- the • ruleå irnåde ereuridér shall be conclusiqe proof that he Was informed; • but ailüre tb comply With the. said requiremen! shall not !précllide rb6f•iby other means that' he was So informed or affectithe +alid" i Of;the order

6. The State Government may, by potified -order,- direct that the power to maké orders under section 4 shall be exeréisab e also bY such officer or.ÅuFhority inchiding local authority. ana in relatiop to such matters and subject . to such conditions, if any, I may be specified in thé order. 7. (I) If any person contraven:s any ordér made under sec• tion 4, he shall. on-convictidn be pu •shed withi a term' may extend:to' pne year or With (2) Afiy Court trying the contr vention of ap. order may • eci that any cattle in kespeét df which e Court s åf _isfied the QFder: has been contravened, and agy vehicle-k gessel or adiIPai whichlthé Court is S*tiéfiéd h" beeh {Ged With ÉR Of the" ersoti having-the Control théyeof for carryink such! eattlé, shall 'be forfeited to Governrpent. 27 '1976 i Bray '.@cr3qri' who attempts .to contravc e', or abets! a ALLcmpts 1359 _of, any order mæåe•undcr section 4 s all be declT\Cd I-to?' have; contiavenéd that: order.) If: 'pc•répn• contravening an ordlt• made under .O.tlettccs . and section 4 is a corporation, cvvery person, Who, at the •time the corporations- contraven,tiori W ag committed, was in charge of, and was responsible , i the eorporåtion for the cppdu•ctofthe busineSs o the càrporation - as thé' corporation, shall be deemed to' guilty of ffe shall . be; -liable; to be procee ind puniéhéd accprdingly . vided\ethat gnothing.'i containied in •this 9 b-section: skall ny su.ch'.person• liable go. aây punishment} he.proy# that • the 'cohtftaventiopæt topk his kno. ge gr. .exercifidi all diligence ito •Notwithstanding) anything contained • in gub-sectiön (I)' where an lofence under this Act has been •commi# by a. corpora- • tipn\ and

It is 'proved that the offence has been committed With the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the corporation such director, manager, secretary, or other officer shall also be deemed to be guilty of that offence and shall be liable to be punished accordingly. (1) Court, shall take cognizance of any offence Cognizable offences. punishable under Act, except on report in writing of the facts constituting such offence made by such officer as may be authorised by the State Government. (2) The State Government or such officer as be authorised may, either before or after the institution [of any proceedings for any offence] punishable under this Act, accept from any person charged such offence by way of composition of the offence a sum of money not exceeding one thousand rupees, and direct the release of cattle, vehicle or vessel, which has been seized as liable to forfeiture under this Act, on payment of such further sum of money as he may deem fit not exceeding the value thereof estimated by him. (3) On payment of the composition money and additional sum of money, as provided under sub-section to such officer, the person, if in custody, shall be set at liberty and if any proceedings have been instituted against such person any criminal contract for composition shall be deemed to amount to an acquittal, and if the offence shall any further proceedings be taken against the person or the vehicle or vessel in respect of the same offence. (4) The officer compound any, may order the cancellation of licence or permit granted under this Act to the offender; but if not empowered to do so, may an officer so empowered, for the cancellation of such licence or permit. 01360 paper to try 1976 11. Any Magistrate Of. first class specially Empowered offence. mainly for the to try in a summary way the offence Specified in of section 260 Of the Code of Criminal Procedure, 1973 (No. 2 of 1974) may, on application in this behalf made by the prosecution, try in accordance with the provision contained in sections 262 to 265 of the Code an offence punishable under this Act. Protection 12. prosecution or other legal proceeding shall action taken under this Act. lie against any person for anything which is in good faith done or intended to be done in pursuance of any order made under section 4. (2) No suit or other legal proceedings shall lie against the State Government for any damage caused or likely to be caused by anything which is in good faith done or intended in pursuance of any order made under section 4. rules to make 13. (1) The State Government, may, by notification, and subject to the condition of previous publication, make rules for carrying out purpose of this Act. (2) The rules made under sub-section (1) shall be laid before the Legislative Assembly. 1. 2. 3. 6. 7

8. Schedule - nulls. i. Bulls. Cows. Heifers: Calves. Buffaloes. Goats, Sheep. 76.