MADHYA PRADESH PASHU NIYAMTRAN ADHINIYAM 1976

1 aso X. .98. 27 •r 976 fGTxhgt. ff*tqt. EfiT 27 1976 faiF trq fri*fiü fiFT-fiFi fifi 1351 717, 1352 27 1976 QT t, f#frTÜqxz frä e-qq-r fiiÄT f?fiT, 67) $7, Or) (3) qi-T qfrqTT, FöTT, (TIFiFft), *fag; . f%æir€rfqqqTr ft, qfr.TFFr (!) fiqr. 1976 Y qfT R, zrfQ a, t, iüZJT. t, . fFÄTt. fris ii 'Ffirz füiT GI@T Tr frF 1353 Fra a 354 ; ftv. f<'Tiäfi i 976 füf t. 1355 27 1 97 G MADHYAßRöDES11 . No. 21 1576. THE MADHYA PRADESH PASHU (NIVANTRAN) ADHINIYAM, 1976 ["iReceivcd the assent of the 4Governor on the 9th Maréh;19 76; assent firs\ pu blished in thc •c 'Madhya Pradesh Gazette" (Extraordinary), dated the 27th March, 1976.] An •A'dt .to provide in the interests of the genei•al Public för the n.:aintenance and movement of cattle. Be it enacted by the Madhya Pradesh Legislature in thc Twentyscventh Year of the Republic of India as Ifollows :— 135 1: '(1) •rllhis Act may bc called the Madhya Pradesh 1) ashu Shprt Litlc, extent and (Niyantran) ' Adhiniyam,• 1976. commencement. (2) It extends to the whole of the State of Madhya Pradesh. (3) ilt sh all come into force on such date and in such areas as 19the- Statu Government may, by notification, appoint and different dates may be appointed for different areas

2. In this Act, unless the conteit otherwise requires,—(a) "cattle" means any of the animals specified • in the Schedule ; (b) "corporation"; .means any body corpo ate constituted or registered under any enaqtment for!the time being iin- forc.e and includes a company, firrh of other associa- tion of individuals; • G) •C'director" in relation to a finn means a partner in thc firm ; (d) "notified order" means• an Order notified ih the offcial Definitions. Gazette

3. The State Goyernment may, by notification in the ofcial Amendment of Gazette; add to or alter or amend thé Schedule and on such noti- Schedule.fication being issued, the Schedule shall bc clccmcd to bc amcndcd accordingly• 4.' (1) If the State Government is of the' opinion that it is Powers to con.tro necessary Or expedient .so to do for. the purpose of promoting the maintcnance, public S2fety or public convenience or. publicl health, it mey,i by a SUPPIy;, distribu- tion, etc. notified ordef, prohibi! or regulåte the keeping, maintaining or movement •of any cattle in any pårticular placb or • area specified s.uch order. (2) 'Without prejudicc to the generality of thl powers conferred by-.subLsection .(1), and Ian order rndde thereup4er may -provide—— (a). for prohibitilåg or regulating stalling .oq herdinÅ .Dh .(ialtle in regard to the n.umber thereof, ai d the place •Ito be uscd for the purpose; 1358 Publication and service •of orders. 27' 1976 (b) for the inspection of the Cattle and regulating the constru- dirnension, ventilation, lighting, : cleaning, drainag@and water supply of dairies and cattle sheds, in, the occupation of persons following the of dairy men or milk seller; (c) for establishment or qonstruction of Gwala colonies, dairies and cattle peks•, (d) for prohibition or regulation of i ort of cattl in the specified place or atea; (e) for regulating licenc4, . permit or therwise ian of the matters under •the Act; (f) for any incidental or su plementary matters! ingluding the charging of the fees! (1) An order made unde section 4 shall— (a) if it is an order of gene al nature or affecting a: clas"f persons, be notified in the offcial Gåzette; (b) if it is an order t affecting an ' individual person I or an individual corporatibn be served in the prescribed manner. (2) Wheæ a question arises a person was duly in- Delegation• powers. Penalties. ormed of an ordg made in pursuapce of section 4, | corhpli ge With shall be conclusife proof that he Was so informed, • butt%iüfe' to comply with the. said requirement shall not ipréclüde BrbOf• by other means that' he was so informed or affect:the validity' Of fthe• order. of 6. The State Government may, by notified order, direct that the power to make orders under section 4 shall be exercisable also by such offcer or. a•uFhority including local authority and in ! relation to such matters and subject . to such conditions, if any, ! as', may be specified in the order. 7. (1) If any person any order made under sec- tion 4, he shall on conviction be pu .iFlhed With: •imprisdnménf for term may eitend .to pne year or with finel (2) Any Court. trying the contravention of tan order may •rect that any cattle in •fespeét of which e Court {is satisfied tflat I the order. has been contravened, and any vehicle yessel pr ahimal whichithé Court is såtiSfied håé been used with l!novfledg the' ersori having the tontrol thereof for •téarrying such! Cattlé, ska)l 'be forfeited to Governrpent. 1 1359 27 •1976 Altcmpt.s_ 8. ; Any .person who attempts .to contrave e, or abets! a Abctment. cgntr:ay.ention of, any order section 4 s all be dcc1Ttcd to':: have; confravened that order. 9. t) If• tho person contravcning an ord&• and Inade under . OLIenccs corporations. section 4 is a corporation, cvcry pcrson, who, at thc timc thc contraven!lion was committed, was in charge of, and was responsible td i the;

porporiition for the conduct .of the business o the cbrporation welli as •the corporation, •shall be deemed tö guilty of the confraveh.tion: and shall be; liable• to be procee ånd puniéhed accordingly that nothing/ contained in •this 'b-section isKa11 fendéfjåny such•.person'li-able to. aåy punishment; • the took .p1aCe• withö!lt his know ge pr exercised i all 'diligence Ito •pfé.#cnt (2) Notwithstanding; anything contained in' tsub-sectiön• (1)' where an {offence under this Act has been commiåed by a.. corpöra- tioni and Gt is proved that the offence has been committed with the consent or connivance of, or is attributable to • any neglect on the p.a±f Of, any director, manager, secretary or other ofhcef of the corporation such director, manager, secretary other shall also; be deemed to be guilty of that offence akd shall be liable to be' proceeded against and punishcd accofdingly. IO. : (1) No Court , shall take cognizance pf any offence Cognizance offences. punishable under this Act, except on a report in :writing of, the facts cÖnstituting such offence made by such offCer as may. be authorised by the State Government. (2) The State Government or such offcer as may be authoris- ed may, either before or after the institution of any proceedings for any offence punishable uncler this Act, accept from any person charged with: such offence by way of composition of the offenee æ sum of mone.y not exceeding one thousand rupees, and. direct the releaSe of cattlc, vehicle ot vessel, which has been seized as liable: to forefeiture under this. Act, on payment• of such further sum of, rhoney 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 (2), to such offcer, the person, if in custody, sh all be set at liberty and lif any proceed- ings have been instituted against such person any criminal the composition shall be deemed to .amount •to an acquittal #14" case shall any furthef iroppedings be. t, ken person Ibr catgle vessel lin respect Of tho Same offenfe. (4) The,' offcer compounding any offencefl may • ordéf the cancellation Qf Ony licence or permit granted ünder this Aet .to the offender; priÅf not • empowered to do so, may an offcér so: empowered, for •the cancellation .of such licence or pehhit. .j. 11860 power try offence summarily. for the time b em g to try in a summary Way the offencep, Specified in sub-sectiof(l) of section 260 of the Code of Criminal Prbcedure, 1973 (No. 2 of 1974)hay, on application in this behalf being made by the prosecution, try in accordance with •thé provisions contained in .sedtions 262: to 265 of •the .said Code any offence punishable under this Act. Protection of 11. Any. Magistrate . of tlfe first class :specially empoweree action under Power rules. to 12. (1.) : N.0Æuit, prosecuti n or other legal proceedihg shall taken lie •against any !person for anythitng which is in good faith gone or Act. intended to be .done in pursu nce of zny order mad , under section 4. (2) No suit or other legal proceedinés Shall lie agairist the State Government for any dama or likely to be qaiused by anything :whiéhi •is :in good faith done or intended to be 'done; in pursuance ;e-of any I order made I under section 4. (1) The State Government, may, by notificåtion, and make 13. subject condition of previous public tion, make rules for , carrying qut the. epurpose of this Act. (2) •The rules made under sub-section (1) shall 'be naid on •the Table the Legislative Assembly. 1. 2, 3. •4. 5. 6. 7

8. Schedule Bulls. Bullocks. Cows. Heifers. Calves. Buffaloes. Go ats. Sheep. FTfrTä-—1 76.