

CHAPTER – VI

MAJOR ENACTMENTS

1. THE GLANDERS AND FARCY ACT, 1899 (ACT NO-XIII OF 1899)

Passed by the Governor-General of India in council. Received the assent of the Governor-General on the 20th March, 1899.

An Act to consolidate and amend the Law relating to Glanders and Farcy.

WHEREAS it is expedient to consolidate and amend the Law relating to glanders and farcy; it is hereby enacted as follow:-

1. Short title, extent and commencement: -

(1) This Act may be called the Glanders and Farcy Act. 1899.

(2) It extends to the whole of India: and

(3) It shall come into force at once.

2. Definition of "Disease"

(1) In this Act, unless there is anything repugnant in the subject or context, "Diseased", means affected with glanders or farcy or any other dangerous epidemic disease among horses which the Governor-General in Council may by notification in the Gazettes of India, specify in this behalf" either generally or in respect of any local area".

(2) The provisions of this Act relating to horses shall apply also to Assess and Mules.

(3) Application of Act to local areas by Local Government: -

The Local Government may by notification in the local official Gazetee, apply this Act or any provision of this Act, to any local area, to be specified in such notification, within the province.

(4) Local Government to appoint Inspectors:-

When this Act has been so applied to a local area the Local Government may by notification in the local official gazettee, appoint such persons as it thinks fit to be Inspectors under this Act

and to exercise and perform, within the whole of the local area, or such portion thereof as it may prescribe, the powers conferred and the duties imposed by this Act on such officers.

(5) Powers of entry and search: -

Within the local limits for which he is so appointed any such inspector as aforesaid may, subject to such rule as the local Government may make in the behalf, enter any search any field, building, or other place for the purpose of ascertaining whether there is therein any horse which is diseased.

(6) Power of Seizure:-

Within such limits as aforesaid, the Inspector may seize any horse which he has reason to believe to be diseased.

(7) Horse to be examined by Veterinary Practitioner: -

(1) On any such seizure as aforesaid, the Inspector shall cause the horse seized to be examined as soon as possible by such Veterinary Practitioner as the Local Government may appoint in this behalf.

Provided that when the Inspector is also a Veterinary Practitioner so appointed, he may make the examination himself.

(2) For the purpose of the examination the Veterinary Practitioner may submit the horse to any test or tests which local Government may prescribe.

(8) Horse to be destroyed if found diseased: otherwise restored.

(1) If the Veterinary Practitioner certifies in writing that the horse is diseased, the inspector shall cause the same to be immediately destroyed.

Provided that, in the case of any disease other than glanders or farcy, horses certified to be diseased as aforesaid may, subject to any rules which the Local Govt. may make in this behalf be either destroyed, or otherwise treated or dealt with as the Vety. Practitioner may deem necessary.

(2) If, after completing the examination, the Vety. Practitioner does not certify that the horse is diseased, the Inspector shall at once deliver the same to the person, entitled to the possession thereof.

(9) When horse is diseased, place where it has been to be disinfected etc.

(1) When any diseased horse has been in any building, shed or other closed place, or in any open lines, the Inspector may issue a notice to the owner of the building, shed, place or lines or to the person in charge thereof, directing him to have the same disinfected, and the internal fittings thereof, or such other things found therein or near thereto as the Local Govt. may by rule prescribe, destroyed.

(2) On the failure or neglect of such owner or other person as aforesaid to comply with the notice within a reasonable time the Inspector shall cause the building, shed place or lines to be disinfected, and the fittings or other things to be destroyed and the expense (if any) thereby incurred may be recovered from the owner or other person as if it were a fine.

(10) Owner or person in charge of diseased horse to give notice:

The owner or any person in charge of a diseased horse shall give immediate information of the horse being diseased to the Inspector or to such authority as the Local Govt. may appoint in this behalf.

(11) Prohibition against removal without licence of horse which has been with diseased horse.

No person in charge of any horse which has been in the same field, building or place as or in contact with a diseased horse, shall remove such horse except in good faith for the purpose of preventing infection, or under a license to be granted by the Inspector, and subject to the conditions of the licence.

(12) Vexatious entries, searches and seizures :-

(1) Wherever, being an Inspector appointed under this Act, Vexatiously and unnecessarily enters or searches any field, building, or other place or seizes or detains any horse on the pretence that it is diseased shall be punishable with imprisonment for a term which may extend to (6) months or a fine which may extend to five hundred rupees, or with both.

(2) No prosecution under this section shall be instituted after the expiry of three months from the date on which this has been committed.

(13) Penalty for refusing to comply with notice under section or for removing horse contrary to section. 11

Whoever refuses or neglects to comply with any notice issued by the Inspector under Section, 9 or removes any horse in contravention of section 11, shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to fifty rupees, or with both.

(14) Power to make rules: -

(1) The local Government may make rules to carry-out the purposes and objects of this Act.

(2) In particular and without prejudice to the generality of the foregoing power Such rules as aforesaid.

(a) Regulates entries, searches and seizures by inspector under this Act.

(b) Regulate the use of tests and the isolation of horses subjected thereto, and provide for recovering the expense of detaining isolating and testing horses from the owners or persons incharge thereof as if it were a fine.

(c) Regulates the destruction or treatment as the case may be of horses certified under section-8 to be diseased and the disposal of the carcase of diseased horses.

(d) Regulate the disinfecting of buildings and places in which diseased horses have been and prescribe what things foul)d therein or near thereto shall be destroyed; and

(e) Regulate the grant of licenses under.section-11 and the conditions on which those licenses shall be granted.

(3) All rules under this section shall be punished in the Local official gazette, and on such publication shall have effect as if enacted this Act.

(4) In making any rule under this section the Local Government may direct that breach of it shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to fifty rupees, or with both.

(15) Appointment of some person to be both Inspector and Veterinary Practitioner.

Any Veterinary Practitioner may be appointed by the Local Government to be both Inspector and Veterinary Practitioner for all or any of the purposes of this Act or of any rule thereunder.

(16) Protection to persons acting under Act.

No suit, prosecution or other legal proceeding shall be against any per-son for anything which is in good faith done or intended to be done under this Act.

2 THE PREVENTION OF CRUELTY TO ANIMALS ACT (CENTRAL ACT) 1960

With the object of preventing infliction of unnecessary pain or suffering on Animals the prevention of Cruelty to Animals Act was originally passed in 1890, and was re replaced by the Act passed in 1960.

According to this Act unless the context otherwise requires.

- (a) "Animal" means any living creature other than a human being.
- (b) "Board" means the Animal Welfare Board established under Section-4
- (c) "Captive Animal" means any Animal (not being a domestic Animal) which is in captivity or confinement whether permanent or temporary or which is subjected to any appliance or contrivance for the purpose of hindering or preventing its escape from captivity or confinement or which is pinioned or which appears to be aimed.
- (d) "Domestic Animal" means any Animal which is tamed or which has been or is being sufficiently tamed to serve some purpose for the use of man or which although it neither has been nor is being nor is intended to be so tamed is or has become in fact wholly or partly tamed:
- (e) "Local authority" means a municipal committee, district board or other authority for the time being invested by law with the control and administration of any matters within a specified local area.
- (f) "Owner" used with reference to an Animal includes not only the owner but also any other person for the time being in possession or custody of the Animal, whether with or without the consent of the owner.
- (g) "Phooka" or "Doom dev" includes any process of introducing air or any substance into the female organ of a milch Animal with the object of drawing off from the Animal any secretion of milk.
- (h) "Prescribed" means prescribed by rules made under the Act.
- (i) "Street" includes any way road lane square court alley passage or open space whether a thoroughfare or not to which the public have access.

Section-3 :- Prescribes the duties of the person having charge of Animals, It shall be the duty of every person having the care of charge of any Animals to take all reasonable measures to

ensure the well-being of such animals and to prevent the infliction upon such Animals of unnecessary pain or suffering.

Section-4:- Empowers the Central Government to establish an Animal Welfare Board for the promotion of animal welfare generally and for the purpose of protecting animals from being subjected to unnecessary pain or suffering.

Section-5:- Prescribes the membership of the Board which includes the Inspector-General of Forests and the Animal Husbandry Commissioner to the Government of India as ex-officio members.

Section-6-7 and 8 describe the terms of office and conditions of service of membership of the Board appointment of officers of the Board resources and funds of the Board respectively.

Section-9 describes the functions of the Board which are:

(a) to keep the law in force in India for the prevention of cruelty to animals under constant study and advise the Government on the amendments to be made in any such law from time to time.

(b) to advise the Central Government on the making of rules under this Act with a view to preventing unnecessary pain or suffering to animals generally and more particularly when they are being transported from one place to another or when they are used as performing animals or when they are kept in captivity or confinement.

(c) to advise the Government or any local authority or other person on improvement in the design of vehicles so as to lessen the burden on draught animals.

(d) to take all such steps as the Board may think fit for ameliorating the condition of beasts of burden by encouraging or providing for the construction of sheds, water troughs and the like and by providing for Veterinary Assistance to Animals.

(e) to advise the Government or any local authority or other person in the design of slaughter houses or in the maintenance of slaughter houses or in connection with slaughter of animals so that unnecessary pain or suffering whether physical or mental, is eliminated in the preslaughter stages as far as possible and animals are killed wherever necessary in as humane a manner as possible.

(f) to take all such steps as the Board may think fit to ensure that unwanted animals are destroyed by local authorities, whenever it is necessary to do so, either instantaneously or after being rendered insensible to pain or suffering.

(g) to encourage by the grant of financial assistance of other-wise the formation of pinjrapoles, sanctuaries and the like where animals and birds may find a shelter when they have become old and useless or when they need protection.

(h) to cooperate with and coordinate the work of associations or bodies established for the purpose of preventing un-necessary pain or suffering to animals or for the protection of animals and birds.

(i) to give financial and other assistance to animal welfare organizations functioning in any local area or to encourage the formation of animal welfare organisations in any local area which shall work under the general supervision and guidance of the Board.

(j) to advise the Government on matters relating to the medical care and attention which may be provided in animal hospitals and to give financial and other assistance to animal hospitals whenever the Board thinks it necessary to do so.

(k) to impart education in relation to the humane treatment of animals and to encourage the formation of public opinion against the infliction of unnecessary pain or suffering to animals and for the promotion of animal welfare by means of lectures, books, posters, cinematographic exhibitions and the like.

(l) to advise the Government of any matter connected with animal welfare or the prevention of infliction of unnecessary pain or suffering on animals.

Section-10: - Confers the power of making regulations of the Board.

Section-11: - defines cruelty to animals generally as under:

(a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes or being the owner permits any animals to be so treated: or-

(b) employs in any work or labour any animal which by reason of any disease infirmity wound sore or other cause is unfit to be so employed or being the owner - permits any such unfit animal to be so employed: or-

(c) willfully and unreasonably administers any injurious drug or injurious substance to any domestic or captive animal or willfully and unreasonably causes or attempts to cause any such drug or substance to be taken by any domestic or captive animal: or-

(d) conveys or carries whether in or upon any vehicle or not any animal in such a manner or position as to subject it to unnecessary pain or suffering: or-

(e) keeps or confines any animal in any cage or other receptacle which does not measure sufficiently in height length and breadth to permit the animal a reasonable opportunity for movement: or-

(f) keeps for an unreasonable time any animal chained or tethered with an unreasonably short or unreasonably heavy chain or cord :or-

(g) being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement: or -

(h) being the owner of any captive animal fails to provide such animal with sufficient Food, drink or shelter: or-

(i) without reasonable cause abandons any animal in circumstances which render it likely that it will suffer pain by reason of starvation or thirst : or-

0) wilfully permits any animal of which he is the owner to go at large in any street while the animal is affected with a contagious or infectious disease or without reasonable excuse permits any diseased or disabled animal of which he is the owner to die in any street: or-

(k) offers for sale or without reasonable cause has in his possession any animal which is suffering pain by reason of mutilation starvation thirst overcrowding or other ill-treatment: or-

(l) needlessly mutilates any animal or kills any animal in an unnecessarily cruel manner: or-

(m) confines or causes to be confined any animal in such a manner as to make it an object of prey for any other animal solely with a view to providing entertainment for other persons: or –

(n) for the purposes of his business, organises, keeps uses or acts in the management of any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes: or –

(o) promotes or takes part in any shooting match or competition wherein animals are released from captivity for the purpose of such shooting.

Section 12:- prescribes penalty for practising phooks or doom dev. If any person performs upon any cow or other milch animal the operation called phooks or doom dev or permits such operation being performed upon any such animal in his possession or under his control he shall be punishable with fine which may extend to one thousand rupees or with imprisonment for a term which may extend to two years or with both and the animal on which the operation was performed shall be forfeited to the Government.

Section 13:- prescribes the procedure for destruction of suffering animals.

(1) Where the owner of an animal is convicted of an offence under section 11 it shall be lawful for the court if the court is satisfied that it would be cruel to keep the animal alive, to direct that the animal be destroyed and to assign the animal to any suitable person for that purpose and the person to whom such animal is so assigned shall as soon as possible, destroy such animal or cause such animal to be destroyed in his presence without unnecessary suffering and any reasonable expense incurred in destroying the animal may be ordered by the court to be recovered from the owner as if it were a fine. 1. Provided that unless the owner assents thereto no order shall be made under this section except upon the evidence of a Veterinary Officer in charge of the area.

(2) When any magistrate commissioner of police or district superintendent of police has reason to believe that an offence under section. 11 has been committed in respect of any animal he may direct the immediate destruction of the animal if in his opinion, it would be cruel to keep the animal alive.

(3) Any police officer above the rank of a constable or any person authorized by the State Government in this behalf who finds any animal so diseased or so severely injured or in such a physical condition that in his opinion it cannot be removed without cruelty, may if the owner is absent or refuses his consent to the destruction of the animal forthwith summon the Veterinary Officer in charge of the area in which the animal is found and if the Veterinary Officer certifies that the animal is mortally injured or so severely injured or in such a physical condition that it would be cruel to keep it alive the police officer or the person authorized as the case may be may after obtaining orders from a magistrate, destroy the injured animal or cause it to be destroyed.

(4) No appeal shall lie from any order of a magistrate for the destruction of an animal.

Chapter IV Sections 14 to 20

deals with experimentation on animals for purposes of research etc. information with regarding which should be known to Veterinarians working in research institutes or in research schemes where use is made of animals large as well as small for experimental purposes.

Section 15 :- empowers the Central Government to constitute a Committee on the advice of the Animal Welfare Board for the purpose of controlling and supervising experiments on animals. The rules made by this Committee under the direction of the Central Government shall be designed to secure the following objects namely.

(a) that in cases where experiments are performed in any institution the responsibility therefore is placed on the person in charge of the institution and that in cases where experiments are performed outside an institution by individuals the individuals are qualified in this behalf and the experiments are performed on their full responsibility –

(b) that experiments are performed with due care and humanity and that as far as possible experiments involving operations are performed under the influence of some anaesthetic of sufficient power to prevent the animals feeling pain.

(c) that animals which in the course of experiments under the influence of anaesthetics are so injured that their recovery would involve serious suffering are ordinarily destroyed while still insensible.

(d) that experiments on animals are avoided wherever it is possible to do so as for example in medical schools, hospitals, colleges and the like if other teaching devices such as books models films and the like may equally suffice.

(e) that experiments on larger animals are avoided when it is possible to achieve the same result by experiments upon small laboratory animals like guinea pigs, rabbits frogs and rats;

(f) that as far as possible experiments are not performed merely for the purpose of acquiring manual skill.

(g) that animals intended for the performance of experiments are properly looked after both before and after experiments.

Section 18:- authorises the Committee's representatives to inspect any institution or place in which experiments on animals are being carried on and to require any person to produce any record kept by him with respect to experiments on animals.

Under Section: 19

the committee can prohibit experiments on an animal either for a specified period or indefinitely or may allow the person or institution to carry on such experiments subject to special conditions as the Committee may think fit to impose.

Section 20:- deals with penalties. If any person (a) contravenes any order made by the Committee under Section 19 or (b) commits a breach of any condition imposed by the Committee for under the section he shall be punishable with fine which may extend to two hundred rupees, and when the contravention or breach of condition has taken place in any institution the person in charge of the institution shall be deemed to be guilty of the offence and shall be punishable accordingly.

Chapter V deals with performing animals. In this Chapter "Exhibit" means, exhibit at any entertainment to which the public are admitted through sale of tickets and "train" means train for the purpose of any such exhibition and the expressions "exhibitor" and "trainer" have respectively the corresponding meanings.

Section: 22: -lays down that no person shall exhibit or train:

(i) any performing animal unless he is registered in accordance with the provisions of this chapter.

(ii) as a performing animal any animal which the Central Government may by notification in the official Gazettee specify as an animal which shall not be exhibited or trained as a performing animal.

Section 23 :- lays down the procedure for registration Sections, 24, 25, 26 and 27 deal with the power of a court to prohibit or restrict exhibition and training of performing animals to enter premises where such training is given and definition of offences respectively.

Section 27:- provides for exemption of training of animals for bonafide military or police purposes and the exhibition of any animals so trained or any animals kept in a zoological garden or by any society or association, which has for its principal object the exhibition of animals for educational or scientific purposes.

Chapter VI: - deals with miscellaneous items. According to Section 28 nothing in this Act shall render it an offence to kill any animal in a manner required by the religion of any community. Under Section 29 the court can order the seizure of an animal to Government.

Section 30 :- If any person is charged with the offence of killing a goat, cow or its progeny contrary to the provisions of clause(1) of sub-section(1)'of Section-II and it is proved that such person had in his possession at the time the skin of any such animals as is referred to in this Section with any part of the skin of the head attached thereto it shall be presumed until the contrary is proved that such animal was killed in a cruel manner.

Sections 31, 32 and 33 deal with the cognizability of offences powers of search and seizure and issue of search warrants respectively.

Section-34:- Any police officer above the rank of a constable or person authorized by the State Government in this behalf who has reason to believe that an offence under this Act has been or is being committed in respect of any animal may, if in his opinion the circumstances so require, seize the animal and produce the same for examination by the nearest magistrate or by such Veterinary Officer as may be prescribed and such police officer or authorised person may when seizing the animal require the person in charge thereof to accompany it to the place of examination.

Section 35 lays down that:-

(1) The State Government may by general or special order appoint infirmaries for the treatment and care of animals in respect of which offences against this Act have been

committed and may authorize the detention therein of any animal pending its production before a magistrate.

(2) The magistrate before whom a prosecution for an offence against this Act has been instituted may direct that the animal concerned shall be treated and cared for in an infirmary until it is fit to perform its usual work or is otherwise fit for discharge or that it shall be sent to a pinjrapole or if the Veterinary Officer in charge of the area in which the animal is found or such other Veterinary Officer as may be authorized in this behalf by rules made under this Act certifies that it is incurable or cannot be removed without cruelty that it shall be destroyed.

(3) An Animal sent for care and treatment to an infirmary shall not unless the magistrate directs that it shall be sent to a pinjrapole or that it shall be destroyed be released from such place except upon a certificate of its fitness for discharge issued by the Veterinary Officer in charge of the area in which the infirmary is situated or such other Veterinary Officer as may be authorized in this behalf by rules made under this Act.

(4) The cost of transporting the animal to an infirmary or pinjrapole and of its maintenance and treatment in an infirmary shall be payable by the owner of the animal in accordance with a scale of rates to be prescribed by the district magistrate or in Presidency towns by the Commissioner of Police.

(5) Any amount payable by an owner of an animal under sub-section (4) may be recovered in the same manner as an arrear of land revenue.

(6) If the owner refuses or neglects to remove the animal within such time as a magistrate may specify, the magistrate may direct that the animal be sold and that the proceeds of the sale be applied to the payment of such cost.

(7) The surplus if any of the proceeds of such sale shall on application made by the owner within two months from the date of the sale be paid to him.

Section 36:- prescribed 3 months as the period after which prosecution for any offence committed under this Act cannot be launched while Section 37 empowers the Central Government to delegate power under this Act to any State Government by notification in the official Gazette.

Section 38:- empowers the Central Government to make rules in respect of the following matters

(a) The terms and conditions of service of members of the Board the allowances payable to them and the manner in which they may exercise their powers and discharge their functions.

(b) The maximum load (including any load occasioned by the weight of passengers) to be carried or drawn by any animal.

- (c) The conditions to be observed for preventing the overcrowding of animals.
- (d) The period during which and the hours between which any class of animals shall not be used for draught purposes.
- (e) Prohibition the use of any bit or harness involving cruelty to animals.
- (f) Required person carrying on the business of a farrier to be licensed and registered by such authority as may be prescribed and levying a fee for the purpose.
- (g) The precautions to be taken in the capture of animals for purposes of sale export or for any other purpose and the different appliances or devices that may along be used for the purpose and the licensing of such capture and the levying of fees for such licences.
- (h) The precautions to be taken in the transport-of animals whether by rail road or inland waterway sea or air and the manner in which and the crates or other receptacles in which they may be so transported.
- (i) Requiring persons owning or in charge of premises in which animals are kept or milked to register such premises to comply with such conditons as may be laid down in relation to the boundary wills or surroundings of such premises to permit their inspection for the purpose of ascertaining whether any offence under this Act is being or has been committed therein and to expose in such premises copies of Section 12 in a language or languages commonly understood in the locality.
- 0) The form in which applications for registration under Chapter-V may be made the particulars to be contained therein the fees payable for such registration and the authorities to whom such applications may be made:
- (k) The purposes to which fines realized under this Act may be applied including such purposes as the maintenance of informaries pinjrapoles and Veterinary Hospitals.
- (l) Any other matter which has to be or may be prescribed.

Sub Section (3) lays down that if any person contravenes or abets the contravention of any rules made under this section he shall be punishable with fine which may extend to one hundred rupees or with imprisonment for a term which may extend to three months or with both.

According to sub-section (4) every rule has to be approved by both Houses of Parliament.

Section 39:- lays down that every person authorized by the State Government under Section 34 shall be deemed to be a public servant within the, meaning of Section 21 of Indian Penal Code

(45 of 1860) while Section 40 provides indemnity to a public servant against any suit prosecution or other legal proceedings.

3. THE LIVESTOCK IMPORTATION ACT, 1898

(as amended by the Livestock Importation Act 1953 & Model Livestock Importation Rules 1961)

IMPORT OF LIVESTOCK

Import of animals is regulated according to the Livestock Importation Act 1898 as amended by the Livestock Importation Act 1953, Model Livestock Importation Rules, 1961, have been framed under this act by the Central Government in consultation with the union Ministry of Law and circulated to the State for adoption under section 4 of this Act.

In this Act unless there is anything repugnant in the subject or context.

- (a) The expression "Infectious or contagious disorders" includes tick-pest anthrax glanders, farcy, scabies and any other disease or disorder, which be specified by the Central Government by notification in the official gazette, and.
- (b) "Livestock" includes horses, swine, camels and any other animal, which may be specified by the Central Government by notification in the official gazette, and
- (c) "Import" means the bringing or taking by sea, land or air into the territories to which this Act extends.

Section-3 :-(1) of this Act empowers the Central Government to restrict the area and to prohibit the import of livestock from foreign countries in such manner or to such extent as it may. deem fit into the territories to which this Act extends or any specified places therein of any livestock which may be liable to the affected by fodder dung, stable litter, clothing, harness or fittings appertaining to livestock or that any have been in contact therewith.

The regulations regarding import of livestock under the Livestock Importation Act, 1898 are amended from time to time and published in the gazette by the Central Government only the State Governments are empowered under Section 4 to make rules for the detention, inspection, disinfection or destruction of imported livestock and of fodder dung, stable litter, clothing harness or fittings appertaining to imported livestock or that may have been in contact therewith and for regulating the powers and duties of the officers whom it may appoint in this behalf.

These rules are enforced in close collaboration with the customs authorities at every port, who have the same powers in respect of any livestock or thing with regard to the importation of which the notification has been issued under Section 19 of the Sea Customs Act, 1878.

It is necessary to obtain import licence for import of livestock in accordance with the provisions of the Import Trade Control Public Notice NO.1ITC (PN) 61 dated January 2, 1961, except for pet animals, which according to Provision 4 of the above notification reproduced below, can be brought into the country as a part of accompanied luggage without payment of customs duty. Pet animals are notionally considered as part of the personal luggage of passengers subject to certain restrictions.

Provision 4:- The clearance of one dog, pet animals and birds in a limited number may be allowed without Import Trade Control restrictions of furnishing the following health certificates to the customs authorities:

(i) A health certificate from a Veterinary Officer authorised to issue a valid certificate by the Government in the country of export to the effect that the dog imported is free from Aujesky's disease, Distemper, Rabies, Leishmaniasis and Leptospirosis and in the case of cats from Rabies and Distemper.

(ii) In the case of import of dogs and cats originating from countries where rabies infection is known to exist, a health certificate containing a record of vaccination, the vaccine used and the name of production laboratory and to the effect that the dog/cat was vaccinated against rabies more than one month, but within twelve months. prior to actual embarkation with Nervous Tissue Vaccination, or within 36 months prior to actual embarkation with Chicken Embryo Vaccine, both vaccines having previously passed satisfactory potency tests.

(iii) In the case of parrots, a certificate to the effect that the parrots were subjected to a complement fixation test for psittacosis with negative results within 30 days prior to actual embarkation.

IMPORT OF HORSES

Brood mares and stallions, not be used for racing, are exempt from customs duty Vide G.O.I-Ministry of Finance (Revenue Deptt) Notification. No. 159-Cus-toms dated 4th December, 1954, which reads as under:

"Under Government of India, Ministry of Finance (Revenue Division) Notification No.159-Customs, dated 4th December, 1954 brood mares and stallions imported into India for the purpose of breeding only and not for the purpose of racing are exempt from the payment of customs duty leviable thereon. provided that the importers seeking the above duty-free concession on import of stallions and mares should produce a certificate from the Director of Animal Husbandry of the State concerned to the effect that the stallions and mares on which exemption is sought are being imported solely for breeding and not for racing".

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The disease or disorders which were declared to be contagious or infectious for purposes of this Act notified by the Department of Education, Health & Law of the Govt. of India. Vide No. F-32-12(13)/44-A, dated 12th August, 1944 and the Ministry of Agriculture No. 12-75(1) /49-L, Dated June 26, 1950 are given in Schedule-II of the Model Rules, 1961 described below.

1. These rules may be called the Livestock (Import) Quarantine Rules.

In these. rules, unless the context otherwise requires.

(a) "Carcass" means the carcass of livestock and includes part of a carcass and the flesh, bones, skin, hoofs, offal or any other part of any dead livestock separately or otherwise any portion thereof.

(b) "Diseased" means suffering from any infectious or contagious disorder.

(c) "Import" means to bring by sea into the State from any place outside India:

(d) "Importer" means a person in whose name the bill of loading is made.

(e) "Exporter" means the person who is the owner of livestock in the country of export:

(f) "Quarantine" means detention and segregation of livestock newly arrived (landed from the board a ship) for observation and testing in order to keep such livestock separate from other livestock for the prescribed period:

(g) "Schedule" means a schedule annexed to these rules:

(h) "Valid Certificate" means a certificate which is in respect of (1) livestock (other than poultry) imported from any country included in column(2) of Schedule I granted by the authority specified in column(3) thereof to the effect that such livestock was examined within thirty days prior to the embarkation and found to be free from all signs and symptoms of diseases specified in Schedule-II and that in respect of diseases specified in Schedule-III such livestock was subjected to the tests specified therein with negative results within thirty days prior to actual embarkation.

2. Poultry including day-old chicks, imported from any country specified in column(2) of Schedule I, granted immediately prior to embarkation containing a statement signed by the authority prescribed in column (3) thereof to the effect that:

(i) The flocks from which the consignment of poultry is drawn have been free from the diseases listed at E-2 to E-14 in Schedule-II for a period atleast one year prior to embarkation:

(ii) In respect of Avian Leucosis Complex mentioned at E-I to Schedule-II the flocks from which the consignment of poultry is drawn have been free from the said disease for a period of at least one year or the poultry have been drawn from the farm/ farms which has/have been regularly inspected by a Government Officer over a period of not less than twelve months and that these inspections have not disclosed the presence of Avian Leucosis Complex nor has any case of this disease been reported and that any day-old chick contained in this consignment has not been in contact with any adult birds:

(iii) In respect of diseases listed in Schedule-III the adult poultry birds which are either themselves being exported or from which day-old chicks or immature chicken are included in the consignment were subjected to the tests specified herein with negative results immediately prior to embarkation:

(i) "Declaration" means a written statement given by the exporter or his authorised agent: and

(j) "Veterinary Officer" means any officer authorised by the State Government through a general or special order to perform all or any of the duties prescribed in the rules.

(3) No livestock shall be imported except along with a valid certificate.

(4) In addition to the valid certificate in the case of day-old chicks there shall be a declaration made by the exporter that the chicks were:

(i) Hatched in an incubator in which no eggs from infected birds had been hatched and the incubator was properly fumigated and disinfected prior to hatching: and

(ii) Packed direct from the incubator into new boxes for export and that there was no contact with any bird other than day - old chicks.

5. The imported birds shall be kept under observation for a period of at least twenty-one days and the imported baby chicks for a period of at least fifty-six days on the Importer's premises. It shall be incumbent on the part of the importer to notify to the Animal Husbandry Department any losses due to deaths among the imported birds during the above-mentioned period and also make available any such dead birds for examination. It shall be the duty of the Animal Husbandry Department to see that all the imported birds under observation are regularly inspected so as to ensure that such birds are free from diseases.

6. The master or officer in charge of a vessel the commander of an aircraft, guard of a railway train, owner of the livestock when brought on foot of the owner of the vehicle in which livestock is being imported shall.

(i) On entering the port hoist the "N" flag under the ensign for the information of the Veterinary Officer and shall keep it flying until the signal is suitably acknowledged:

- (ii). Inform the pilot that livestock is on board:
- (iii) Allow the Veterinary Officer all facilities for inspecting the livestock board and at the places they have been quartered:
- (iv) Furnish the Veterinary Officer with such detailed information as he may require as to.
 - (a) The number and kind of livestock originally taken on board.
 - (b) The place or places at which the livestock was taken on board.
 - (c) The names and addresses of the persons to whom the livestock is consigned.
 - (d) The occurrence of any sickness / death among the livestock during voyage flight or carriage and their suspected causes.
 - (v) Not permit the landing of any livestock any fodder, dung, stable litter, clothing, harness or fitting which has been in contact with or appertains to such livestock untill the Veterinary Officer has made his inspection and then only in accordance with such directions as the Veterinary Officer may under the rules be authorised to give.
- (7) On receiving intimation that livestock is on board any vessel/aircraft/vehicle/train or brought on foot entering port/landing at the aerodrome/arriving at a check post the Veterinary Officer shall without delay go on board the vessel/aircraft/vehicle/ train and inspect the livestock and the places therein where the livestock has been quartered.
- (8) The Veterinary Officer may order the detention in quarantine of any imported livestock provided that.
 - (a) Livestock accompanied by a valid certificate shall not be liable to detention in quarantine unless an outbreak of an infectious or contagious disorder or any death has occurred among the livestock on board the vessel/ aircraft /vehicle /train during voyage /flight / passage to India.
 - (b) Any livestock which at the time of importation is the property of the Government or has been imported in accordance with the instructions given by a Government Department on whose authority livestock is imported and has been certified to be free from disease by a Veterinary Officer authorised for this purpose by that department shall not be liable to detention in quarantine.

If any question arises as to whether a certificate under which livestock has been imported is valid or not the decision of the Veterinary Officer subject to the provisions of Rule 23 shall be final.

(9) The duration of quarantine may, at the discretion of the Veterinary Officer extend to a period not exceeding ninety days and the livestock may be detained in quarantine at such places and in such manner as the Veterinary Officer may direct.

(10) All livestock ordered under Rule 8 to be detained in quarantine shall be removed from the vessel aircraft I vehicle I train by the importer or his authorised agent at such time and in such manner as the Veterinary Officer may direct and taken to the place of quarantine by the importer or his authorised agent.

(11) All livestock detained in quarantine shall be under the control of the Veterinary Officer.

(12) All expenses in connection with the landing from the vessel/aircraft/vehicle/train and removal to quarantine of the livestock including the payment of customs dues, port dues and all expenses incurred in feeding the livestock in quarantine shall be borne by the importer.

13.(a) Unvaccinated dogs and cats originating from countries where rabies exists shall be vaccinated on arrival and quarantined for a period of thirty to forty-five days and during this period the entire cost of maintenance feeding and other expenses shall be borne by the importer.

(b) Unvaccinated dogs and cats originating from countries free of rabies and not exposed to rabies infection enroute shall be vaccinated on arrival and kept under restraint by the importer for one month.

(14) In case any eggs are laid during transit and remain unhatched they shall be disposed of in such manner as may be prescribed by the Veterinary Officer.

(15) Any imported livestock which the Veterinary Office finds to be diseased shall (for reasons to be recorded in writing) be directed to be destroyed and the carcass buried or cremated and no compensation shall be payable to the importer.

(16) All fodder, dung, stable litter, clothing, harness or fitting that may have been in contact with or appertain to diseased livestock shall be disposed off in such manner as the Veterinary Officer may direct. The clothing harness or fitting not returned to the importer after disinfection may be directed to be sold by the Veterinary Officer and the proceeds thereof shall be refunded to the importer or his authorised agent after deducting any charges due from him.

17.1 The Veterinary Officer may by notice require the Master or Officer in charge of the vessel/Commander of the aircraft/owner of the vehicle/guard of the train on which livestock has been imported to have the vessel/aircraft/vehicle/train disinfected within such time and in such manner as he may specify therein.

2. The Veterinary Officer may examine the vessel/aircraft/vehicle/train to satisfy himself that such disinfection has been properly carried out, and the Master or Officer in charge of the

Vessel/commander of the aircraft/ owner of the vehicle/guard of the train shall afford him all reasonable facilities for making such further instructions as the Veterinary Officer may in making such examination, think fit to give to ensure the full and proper disinfection of the vessel/aircraft/vehicle/train.

18. In respect of every head of livestock detained in quarantine the importer or his authorised agent shall deposit within five days of landing of such livestock a sum of money as prescribed by the Government.

If special diet, Veterinary Aid or test, as prescribed by the Veterinary Officer is found necessary the actual cost incurred shall be paid by the importer, if permission to feed the livestock is given to the importer or his authorised agent, the quarantine fee shall be charged.

19. The livestock detained in quarantine shall not be released except with the permission of the Veterinary Officer, which shall not be granted until the livestock is certified to be free from disease and all charges incurred in connection with its detention have been paid.

20.a. In default of payment of charges due on account of any livestock, such livestock shall be sold by public auction and the charges shall be deducted from the amount realised and the balance paid to the importer or his authorised agent. In case the amount realised falls short of the amount due then the balance may be recovered from the importer in such manner as may be prescribed by the State Government.

(b) If any livestock is not removed by the importer within seven days of the issue of notice to that effect signed by the Veterinary Officer, such livestock shall be sold by public auction and the proceeds shall after deducting the charges incurred in connection with the detention and auction of such livestock be deposited in the Government Treasury.

21. The importer or his authorised agent on payment of a fee shall be entitled on demand to a certificate to the effect that the livestock has been subjected to the required tests and has been found free from the diseases specified in Schedule-III.

22. A person guilty of a breach of any of the rules, shall be punishable with fine, which may extend to one thousand rupees in respect of each such breach.

23. An appeal from an order passed by the veterinary officer under any of these rules other than Rule.15 shall lie with the Director of Animal Husbandry within a period of fifteen days from the date of such order.

24. Any order passed by the Director of Animal Husbandry under Rule 23 may be reviewed by the State Government.

4. CATTLE TRESSPASS (AMENDMENT) ACT. 1921

This act extends to the whole of India, except Part B States and the Presidency towns and such local areas as the State Government, by notification in the official Gazette, may from time to time exclude from its operation. This Act provides a useful means for dealing with the problem of stray and wild Cattle, which is important in this country from the livestock improvement point of view as well as for giving protection to standing crops so as to assure the farmer of due returns for his labours as well as his investment. The areas lying on the periphery of cities or big towns are particularly subject to such depredations. This Act provides for establishment of cattle pounds, their control, appointment of pound keepers, the penalties for Cattle impounded, their disposal etc, to make the penalty clause more severe, this Act was amended in its application to Uttar Pradesh and is called to The Cattle Trespass (Uttar Pradesh Ammendment Act) Act, 1954. According to Section 26 of this act offenders on conviction are liable(a) for the first offence, to a fine of not less than RS.10 but not exceeding RS.250 or to imprisonment for a term not exceeding three months, or both(b) for second or subsequent offence, to imprisonment for a term not exceeding three months and a fine not exceeding RS.500.

It is mainly a Police Act, but is important for a Veterinarian to know the powers vested in the State Government under this Act as that would enable him to deal with the problem of stray cattle in his area more effectively.

5. THE A.P. PROHIBITION OF COW SLAUGHTER AND ANIMAL PRESERVATION ACT NO.II OF 1977

An Act to provide for the prohibition of the slaughter of Cows, Calves of Cows and Calves of She-Bufferaloes and for preservation of certain other Animals suitable for Milch, Breeding, Draught of Agricultural purposes in the State of Andhra Pradesh and for matters connected therewith.

BE it enacted by the Legislature of the State of Andhra Pradesh in the Twenty-Eight Year of the Republic of India as follows:-

(1) (1) This Act may be called the Andhra Pradesh Prohibition of Cow Slaughter and Animal Preservation Act, 1977.

(2) It extends to the whole of the State of Andhra Pradesh.,

(3) It shall be deemed to have come into force on the 19th December, 1976.

2. It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles specified in Article 48 of the constitution of India.

3. In this Act unless the context otherwise requires.

(i) "Animal" mean~ Bull, Bullock, Buffaloe, Male or Female, or Calf, whether Male or Female of a She-Buffaloe.

(ii) "Competent Authority' means a person or a body of persons appointed under Section-4 to perform the functions of a competent authority under this Act.

(iii) "Cow" includes a heifer, or a calf, whether male or female, of a cow.

(iv) "Government" means the State Government.

(v) "Notification" means a notification published in the Andhra Pradesh Gazette and the words notified" shall be construed accordingly.

(vi) "Prescribed" means prescribed by rules made under this Act.

4. The Government may, by notification, appoint a person or a body or persons to perform the functions of a competent authority under this Act for such local area as may be specified in such notification.

5. Notwithstanding anything in any other law for the time being in force or any custom, or usage to the contrary, no person shall slaughter or cause to be Slaughtered, or offer or cause to be offered for slaughter or otherwise intentionally kill or offer or cause to be offered for killing, any cow or calf, whether male or female, of a she-buffaloe.

(6)1. Notwithstanding anything in any other law for the time being in force or any custom or usage to the contrary, no person shall slaughter or cause to be slaughtered or offer or cause to be offered for slaughter any animal other than a calf, whether male or female, of a she-buffaloe, unless he has obtained in respect of such animal a certificate in writing from the competent authority appointed for the area that the animal is fit for slaughter.

(2) No certificate shall be granted under sub-section(1) if in the opinion of the competent authority the animal is or is likely to become economical for the purpose of:

(a) Breeding, or

(b) Draught or any kind of Agricultural operations: or

(c) Giving milk or bearing off-spring:

Provided that no certificate under sub-section,

(1) Shall be refused to be granted unless the reasons for such refusal are recorded in writing.

(3) A certificate under this section shall be granted in such form and on payment of such fee as may be prescribed.

(7)(1) The Government, may, so motu or shall, on an application made in this behalf by the person aggrieved, for the purpose of satisfying themselves as to the legality or propriety of any order passed by a competent authority, granting or refusing to grant any certificate under Section 6, call for and examine the record of the case and may pass such order in reference thereto as they think fit.

(2) Subject to the provisions of sub-section (1) any order passed by the competent authority granting or refusing to grant a certificate under section-6 and any order passed by the Government under sub-section(1) shall be final and shall not be called in question in any court.

8. No animal in respect of which a certificate has been granted under section-6 shall be slaughtered in any place other, than a place specified by such authority or officer as the Government may appoint in this behalf.

9.(1) For the purposes of this Act, the competent authority or any person authorised in this behalf by the competent authority (herein after referred to as the authorised person) shall have power to enter and inspect any premises where the competent authority or the authorised person has reason to believe that an offence under this Act has been or is likely to be committed.

(2) Every person in occupation of any such premises shall allow the competent authority or the authorised person such access to the premises as may be necessary for the aforesaid purpose and shall answer to the best of his knowledge and belief any question put to him by the competent authority or by the authorised person.

10. Whoever even contravenes any of the provisions of this Act, shall on conviction be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees or with both,

11. Notwithstanding anything in the code of Criminal Procedure, 1973, all offences under this Act shall be cognizable.

12. Whoever abets any offence punishable under this Act or attempts to commit any such offence, shall be punished with the punishment provided in this Act for such offence.

13. All persons exercising powers under this Act shall be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code.

14. No suit, prosecution or other legal proceeding shall be instituted against the competent authority or any person exercising powers under this Act, for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

15. Subject to such conditions as may be prescribed in this behalf, the provisions of this Act shall not apply to.

(a) Any Animal operated upon for vaccine, lymph, serum or any experimental or research purpose at an institution established, conducted or recognised by the Government: or-

(b) Any cow or Animal.

(i) Slaughter of which is certified by a Veterinary Officer authorised by the Government, to be necessary in the interests of the public health.

(ii) Which is suffering from any disease which is certified by a Veterinary Officer authorised by the Government as being contagious and dangerous to other Animals.

16. The Government may, by notification, delegate.

(i) To any local authority their powers under section-4 within the local area subject to the jurisdiction of such local authority.

(ii) To any officer of the Government, their powers under Sub-Section (1) of Section-7.

17.(1) The Government may establish, or direct any local authority or society registered under the law relating to the registration of Societies for the time being in force in the State, or any association or body of Persons, to establish institutions at such places as may be deemed necessary for taking care of cows or other animals sent thereto.

(2) The Government may provide by rules for the proper management of such institutions for the care of cows or other animals therein and also for the class or variety of cows or other animals that may be admitted therein.

(3) The Government, or subject to the previous sanction of the Government, the local authority, society or body of persons or association establishing an institution under Sub-Section (1) may levy such fees as may be prescribed for the maintenance of such institutions.

18(1) The Government may, by notification, after previous publication, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for.

- (a) The powers and duties of competent authority in addition to those provided in the Act.
- (b) The form of the certificate under Section -6
- (c) The amount of fee to be paid under Section-6
- (d) The conditions subject to which this Act shall not apply to any Animal under Section - 15.
- (e) The Management of institutions established under Section-17 and the fee to be levied for their maintenance: and
- (f) Any other matter which is to be or may be prescribed.

3. Every rule made under this section shall immediately after it is made, be laid before each House of the State Legislature if it is in session and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session, or in two successive sessions, and if before the expiration of the session in which it is so laid or the session immediately following, both Houses agree in making any modification or annulment is notified, have effect only in such modified form or shall, stand annulled, as the case may be: so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

19. The Andhra Pradesh (Telangana Area) slaughter of Animals Act, 1950 and the Andhra Pradesh prohibition of cow slaughter and Animal Preservation Ordinance, 1976 are hereby replaced.

6. THE ANDHRA PRADESH ANIMALS AND BIRDS SACRIFICES **PROHIBITION ACT XXXII OF 1950** **(AS AMENDED UPTO DECEMBER, 1970)**

1. This Act may be called the Andhra Pradesh Animals and birds sacrifices prohibition Act, 1950.
2. In this Act unless there is anything repugnant in the subject or context.
 - a) "Precincts" in relation to a place of public religious worship or adoration includes all lands and buildings near such place which are ordinarily used for purposes connected with religious worship or adoration:
 - b) "Sacrifice" means the killing or mainting of any Animal or birds for the purpose of any religious worship or adoration.

c) "Place of public religious worship or adoration" means any place intended for use by or accessible to, the public or a section thereof, for the purposes or religious worship or adoration.

3. No person shall sacrifice any animal or bird in any place of public religious worship or adoration or its precincts or in any congregation or procession connected with any religious worship in a public street.

Explanation:-

For the purposes of this section and sections "Public Street" means a road, street, way or other place whether a through fare or not, to which the public are granted access or over which-they have a right to pass.

4. No Person Shall:-

(a) Officiate or offer to officiate at or-

(b) Perform or offer to perform or-

(c) Serve, assist or participate in, any sacrifice, in any place of public religious worship or adoration or its precincts or in any congregation or procession connected with any religious worship in a public street.

5. No person shall knowingly allow any sacrifice to be performed at any place which.

(a) Is situated within any place of public religious worship or adoration.

(b) Is in his/possession or under his control.

6.(1) Whenever contravenes the provisions of Section-3 shall be punished with simple imprisonment for a term which may extend to three months or with fine which may extended to three hundred rupees or with both.

(2) Whenever contravenes the provisions of Section -4 shall be punished with fine which may extend to six hundred rupees.

Provided that if the offender is an officer, servant authority, trustee or priest of any place or public religious worship or adoration or the holder of an office in receipt emoluments or perquisites for the performance of any service in any place of public religious worship or adoration he shall be punished with simple imprisonment for a term which may extend to three months or with fine which may extend to six hundred rupees or with both.

(3) However contravenes the provisions of section 5 shall be punished with simple imprisonment for a term which may extend three months or with fine which may extend to three hundred rupees or with both.

7. No offence punishable under this Act shall be inquired into or tried by any court inferior to that of a presidency Magistrate or a Magistrate of the First or a Second Class.

8. Notwithstanding anything in the code of criminal procedure 1898, any offence punishable under this Act shall be a cognisable offence within the meaning of that Code.

Note:- As amended upto December, 1970 Vide The A.P. Animals and Birds sacrifices Prohibition (Amendment) Act. No.15 of 1970.

7. THE DRAFT ANDHRA PRADESH FOOT AND MOUTH DISEASE CONTROL RULES, 1984

(G.O.Ms.No.321, Forests and Rural Development (A.H.IIs) 28th Feb'84)

The following draft bye-laws for the more effectually preventing of the spreading of Foot and Mouth Disease among Animals which it is proposed to be made in exercise of the powers conferred by section. 18 of the Andhra Pradesh Cattle Disease Act, 1866(Act-1I of 1866) are hereby published or, general information as required under the said act.

Notice is hereby given that the said draft by-laws will be taken into-consideration after expiry of 90 days from the date of publication in the Andhra Pradesh Gazette and any objections or suggestion which may be received with respect there to before the expiry of the said period, will be considered by the Govt.

Objections and suggestions should be addressed to the secretary to Government, Forests and Rural Development Department, Andhra Pradesh, Hyderabad through the Director of Animal Husbandry, Andhra Pradesh, Hyderabad.

DRAFT BYE-LAWS

1. Short Title: - These by laws - may be called the Andhra Pradesh Foot and Mouth Disease Control Rules, 1984.

2. Definition: - In these rules, unless there is anything repugnant in the subject of context.

(i) Act means the Andhra Pradesh Cattle Disease Act, 1966.

(ii) Section means a Section of the Act.

3. Compulsory Innoculation of Animals:- (1) On publication of notification under Section 1 of the Act in the Andhra Pradesh Gazette Extra-ordinary the Collector of the District or in the City of Hyderabad and Special Officer Municipal Corporation of Hyderabad or in other cities the Commissioner of the Municipal Corporation may consider that Foot and Mouth Disease exists in the area under jurisdiction and that inoculation will be necessary in order to the spread of the said disease order compulsory inoculation of susceptible Animals viz., Cattle, Buffaloes, Bulls, Cows, Calves, Sheep, Goats etc., in any approved method by the officers of the Animal Husbandry Department or by any person authorised by them in that behalf.

The notification shall specify the villages or-areas to which the applied and shall be published in such manner as the Collector, Special Officer, or the Commissioner as the case may be, think fit, the time and place for the production of Animals for inoculation, inspection and scientific studies, in every such village area shall be published in the village or area and there upon it may be the duty of owner or person incharge of any animal to production the same for inoculation Inspection or scientific study at the end place so published.

8. THE DESTRUCTIVE INSECTS AND PESTS ACT, 1914

(Act.No.2 of 1914 - 3rd February, 1914)

An Act to prevent the introduction into India and transport from one State to another of any insect, fungus or other pest, which is or may be destructive to crops.

WHEREAS it is expedient to make provision for preventing the introduction into India and the transport from one state to another of any insect, fungus or other pest, which is or may be destructive to crops: it is hereby enacted as follow:-

1. SHORT TITLE:-

- (1) This Act may be called to Destructive Insects and pests Act, 1914.
- (2) Definition:- In this Act, unless there is anything repugnant in the subject or context.
 - (a) "Crops" includes all Agricultural or Horticultural crops and all trees, bushes or plants.
 - (b) "Import" means the bringing or taking by sea, land or air across any customs frontier as defined by the Central Government.
 - (c) "Infection" means infection by any insect, fungus or other pest injurious to a crop.
3. Power of Central Government to regulate or prohibit the import of articles likely to infect.

(1) The Central Government may by notification in the Official Gazette, prohibit or regulate, subject to such restrictions and conditions as it may impose, the import into India, or any part thereof, or any specified place therein of any article or class of articles likely to cause infection to any crop or of insects generally or any class of insects.

(2) A notification under this section may specify any article or class of articles, or any insects either generally or in particular manner, whether reference to the country of origin, or the route by which imported or otherwise.

4. Operation of Notification under Section-3

A notification under section 3 shall operate as if it had been issued under section 19 of the Sea Customs Act 1878, and the officers of Customs at every port shall have the same powers in respect of any article with regard to the importation of which such a notification has been issued as they have for the time being in respect of any article the importation of which is regulated, restricted or prohibited by the law relating to Sea Customs or any such article shall apply accordingly.

(A) Power of Central Government to regulate or prohibit transport from State to State of insects or articles likely to cause infection.

The Central Government may, by notification in the Gazette, prohibit or regulate, subject to such conditions as the Central Government may impose the export from a State or the transport from one State to another State of any article or class of articles likely to cause infection to any crop or of insects generally or any class of insects.

(B) Refusal to carry article of which transport is prohibited.

When a notification has been issued under section then, notwithstanding any other law for the time being in force, the person responsible for the booking of goods or parcels at any railway station or inland steam vessel station.

i) Where the notification prohibit export or transport shall refuse to receive for carriage at, or to forward or knowingly allow to be carried on, the railway or inland steam vessel from that station anything, of which import or transport is prohibited, consigned, to any place in a State other than the State in which such station is situated: and

ii) Where the notification imposes conditions upon export or transport, shall so refuse, unless the consignor produces, or the thing consigned is accompanied by a document or documents of the prescribed nature showing that those conditions are satisfied.

(C) Application of Section 4-B to articles exported to the State of Jammu and Kashmir by the Jammu and Kashmir (Extension of Laws) Act, 1956 (62 of 1956) S.2 and such.

(D) Power of Central Government to make rules:-

The Central Government may, by notification in official Gazette, make rules prescribing the nature of the documents which shall accompany any article or insect the export or transport where of is subject to conditions imposed under Section 4, or which shall be held by the consignor or consignee thereof the authorities which may issue such documents and the manner in which the documents shall be employed.

Provided that the said notification shall be placed, as soon as may be, on the table of parliament.

5. Power of State Government to make rules: -

(A) 1 The State Government may, make rules for the detention, inspection, disinfection or destruction of any insect or class of insects or of any article or class of articles in respect of which a notification has been issued under Section 3 or under Section or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf.

(A) 2 In making any rule under this section the State Government may direct that a breach thereof shall be punishable with fine, which may extend to one thousand rupees.

(B) Penalties :-

Any person who knowingly exports any article or insect from a State or transports any article or insect from one State to another in contravention of a notification issued under Section-4 A or attempts to export or transport any article or insect, and any person responsible for the booking of goods or parcels at a railway or inland steam vessel station who knowingly contravenes the provisions of Section 4-B shall be punishable with time which may extend to two hundred and fifty rupees and, upon any subsequent conviction, with fine which may extend to two thousand rupees.

6 Protection to persons acting under Act:-

No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

9. THE POISONS ACT, 1919

(12 OF 1919 3rd Sept, 1919) (As modified upto 1st January, 1960)

An Act to consolidate and amend the law regulating the importation, possession and sale of poisons.

WHEREAS it is expedient to consolidate and amend the law regulating the importation, possession and sale of poisons: It is hereby enacted as follows:-

1. (1) This Act may be called the poisons Act, 1919.

(2) It extends to the whole of India.

Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to the importation into India of any specified poisons.

2. Power of the State Government to regulate possession for sale and sale of any poison:-

1. The State Government may by rule regulate within the whole or any part of the territories under its administration the possession for sale and the sale, whether wholesale or retail, of any specified poison.

In particular and without prejudice to the generality of the foregoing power, such rules may provide for.

a) The grant of licenses to possess any specified poison for sale, wholesale or retail, and the fixing of the fee (if any) to be charged for such licenses.

2). In making any rule under sub-section(1), the State Government may direct that any breach thereof shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both, together with confiscation of the poison in respect of which the breach has been committed and of the vessels, packages or coverings in which the same is found.

5. Presumption as to specified poison.

Any substance specified as a poison in a rule made or notification issued under this Act shall be deemed to be a poison for the purposes of this Act.

6. Penalty for unlawful importation, etc:-

1) Whoever

a) Commits a breach of any rule made under Section-2, or-

b) Imports without a license into India across a custom frontier defined by the Central Government any poison the importation of which is for the time being restricted under Section-3 or-

c) Breaks any condition of a license for the importation of any poison granted to him under Section-3 shall be punishable.

i) On a first conviction, with imprisonment for a term which may extend to 3 months, or with fine which may extend to five hundred rupees, or with both, and-

ii) On second or subsequent conviction, with imprisonment for a term which may extend to imprisonment for 6 months or either fine upto one thousand rupees, or with both,

2) Any poison in respect of which an offence has been committed under this section, together with the vessels, packages or coverings in which the same is found shall be liable to confiscation.

7 Power to issue search Warrants:-

1) The District Magistrate the Sub-Divisional Magistrate and in a presidency-town the commissioner of police may issue a warrant for the search of any place in which he has reason to believe or to suspect that any poison is possessed or sold in contravention of this Act or any rule thereunder, or that any poison liable to confiscation under this Act is kept or concealed.

2. The person to whom the warrant is directed may enter and search the place in accordance therewith and the provisions of the code of criminal Procedure, 1898 relating to search warrants, shall as far as may be deemed to apply to the execution of the warrant.

8. Rules: -

1) In addition to any other power to make rules hence before conferred the State Government may make rules generally to carry out the purposes and objects of this Act (except Section - 3)

2) Every Power to make rules conferred by this Act shall be subject to the condition or the rules being made after previous publication.

3) All rules made by the Central Government or by the State Government under this Act, shall be published in the Official Gazette and on such publication shall have effect as if enacted in this Act.

9. SAVINGS:-

1) Nothing in this Act or any license granted or rule made thereunder shall extend to, or interfere with anything done in good faith in the exercise of the profession as such by a medical or Veterinary Practitioner.

2) Notwithstanding anything therein before contained, the State Government may by general or special order declare that all or any of the provisions of this Act (except Section-3) shall be deemed not to apply to any article or class of articles of commerce specified in such order, or to any poison or class of poisons used for any purpose so specified.

3) The authority on which any power to make rules under this Act is conferred may, by general or special order either wholly or partially.

a) exempt from the operation of any such rules, or

b) exclude from the scope of the exemption provided by sub section (1), any person or class of persons either generally in respect of any poison specified in the order

10. (Repeal of Act of 1904)-Repealed by the repealing Act, 1927(12 or 1927) Section 2 and Schedule.

10. THE DOURINE ACT, 1910 (Act. No-5 of 1910)

(As modified upto the 1 st January, 1957)

An Act provide for the prevention of the spread of Dourine (25th February,1910)

WHEREAS it is expedient to provide for the prevention of the spread of dourine: it is hereby enacted as follows:-

1. This Act may be called the Dourine Act, 1910.

2. This Section extends to the whole of India except the territories which, immediately before the 1st November, 1956, were comprised in part-B States; the rest of this Act extends only to such areas as the State Government may, by notification in the official gazette, direct.

2. Definition:-

1) In this Act, the expressions "inspector" and "Veterinary practitioner" means, respectively, the officers appointed as such under this Act, acting within the local limits for which they are so appointed.

2) The provisions of this Act in so far as they relate to entire horses shall, if the State Government, by notification as aforesaid so directs, apply also the entire asses used for mule-breeding purposes.

3. Registration of Horses:-

1) The State Government may, by notification as aforesaid appoint any person it thinks fit to be inspectors and any qualified Veterinary Surgeons to the Veterinary Practitioners, under this Act, and to exercise and perform with any area prescribed by the notification, the powers conferred and duties imposed by this Act upon such Officers respectively.

2) Every person so appointed shall be deemed to be a public servant within the meaning of the Indian penal code (45 of 1860)

5) Powers of Inspector:-

An inspector may, subject to such rules as the State Government may make in this behalf.

a) enter and search any building, field or other place for the purpose ascertaining whether there is therein any horse which is affected with dourine.

b) prohibit, order in writing, the owner or keeper of any horse, which in the opinion is affected with dourine, from using such horse for breeding purposes, pending examination by the Veterinary Practitioner –

c) Direct, by order in writing, the owner or keeper of any horse which, in the opinion of the inspectors, is affected with dourine to remove it or permit it to be removed for the purpose of segregation to a place specified in the order, and such direction shall be sufficient authority for the detention of the horse in that place for the purpose.

6. Duties of Inspector:

An inspector issuing an order under section. 5 shall forthwith forward copy of such order to the veterinary practitioner.

7. Inspection of Horses:-

A Veterinary practitioner receiving a copy of an order forwarded under section

6. shall as soon as possible after receipt of such copy, examine the horse mentioned therein, and may for such purpose enter any building, field or other place.

8. Powers of Veterinary Practitioner:-

A Veterinary Practitioner may.

a) Cancel any order issued under Section.5 or

b) If on microscopical examination or by other scientific test he finds that any horse is affected with dourine.

i) In the case of an entire horse, cause it to be castration.

ii) In case of a mare with the previous sanction of such authority as the State Government may appoint in this behalf, or, if so empowered by the State Government, without such sanction, cause it to be destroyed.

9. Compensation for horse destroyed under Section.8 the market value of such horse immediately before it became affect with douring shall be ascertained, and the state Government shall pay as compensation to the owner thereof.

b) In the case of an entire horse which survives castration, calf the amount which such value has been diminished owing to infection with dourine and castration.

10. Settlement of Compensation:-

1) A Veterinary Practitioner may award, as compensation to be paid under Section.9 in respect of each horse castrated or destroyed under Section.8 a sum not exceeding two hundred and fifty rupees.

2) If, in the opinion of the Veterinary Practitioner the amount which should be paid as such compensation exceeds two hundred and fifty rupees, he shall report accordingly to the Collector, who shall decide the amount to be paid.

11. Committees for hearing appeals:-

1) The State Government shall, by rules published in the Official Gazette, make provision for the constitution appeals, of a Committee or committees for the hearing of appeals from decisions under Section. 10.

2) Such rules shall provide that not less than one member of any committee constituted thereunder shall be a person not in. the service of the Government or of a local authority.

12) Appeals:-

Any owner may, within two months from the date of a decision under Section.10 appeal against such decision to the committee constituted in that behalf by rules made under Section. 11 , and the decision of such committee shall be final.

13. Vexatious entries and searches:-

- 1) Whoever, being an inspector appointed under this Act, vexatiously and unnecessarily enters or searches any field, building or other place, 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 three months from the date on which the offence has been committed.

14) Rules:-

- 1) The State Government may make rules for the purpose of carrying into effect the provision of this Act.
- 2) In particular, and without prejudice to the generality of the foregoing power, such rules as aforesaid.
 - a) Regulate the exercise of the powers conferred on inspectors under Section. 5
 - b) Regulate the action to be taken by the Veterinary practitioner under Section.8
- 3) All such rules shall be published in the official gazette and on such publication, shall have effect as if enacted in this Act.
- 4) In making any rule under this section the State Government may direct that a breach of it shall be punishable with fine which may extend to fifty rupees.

15. Penalties:-

Whoever uses or permits to be used for breeding purpose.

- a) Any horse which has not been registered in accordance with the requirements of a notification under Section. 3 or
- b) Any horse in respect of which an order under clause (b) or clause (c) of section.5 is in force, shall be punishable with fine which may amount, in the case of a first conviction, to fifty rupees, or in the case of second or subsequent conviction, to one hundred rupees.

16. Protection to persons acting under Act:-

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.

11. THE DANGEROUS DRUGS ACT, 1930

(Act.No.11 of 1930 1st March, 1930)

1. Short title, extent and commencement:-

- 1) This Act may be called the Dangerous Drugs Act, 1930.
- 2) It extends to the whole of India.
- 3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette appoint.

2. Definition:-

In this Act, unless there is any thing repugnant in the subject or context.

a) "Coca Leaf" 1. The leaf and young twigs of any coca plant, that is, of the *Erythroxylon Coca* (Lamk) and the *Erythroxylon novagranatense* (Heroin) and their varieties, and of any other species of this genus which the Central Govt. may by notification in the official Gazette, declare to be coca plants for the purpose of this Act and.

ii) Any mixture thereof, with or without neutral materials out does not include any preparation containing not more than 0.1 percent of cocaine.

b) "Coca Derivative" means:-

i) Crude cocaine, that is, any extract of coca leaf which can be used, directly or indirectly for the manufacture of cocaine.

ii) Ecogonine, that is, laevo-ecogonine having the chemical formula C₉ H₁₅ N₃ O₂, all the derivatives of laevo-ecogonine from which it can be recovered:

iii) Cocaine, that is methyl-benzoyllaevo-ecogonine having the chemical formula C₁₇H₂₁N₄O₄, and its salts: and

iv) all preparation, official and non-official, containing more than 0.1 percent of cocaine.

c) "hemp" means –

i) The leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (*Cannabis sativa* L.) including all forms known as bhang, siddhi, or ganja:

ii) Charas, that is, the resin obtained from the Indian hemp

i) the leaves, small stalks and flowering or fruiting tops of the Indian hemp plant (*Cannabis sativa*. L) including all forms known as bhang, siddhi, or ganja.

ii) Charas, that is, the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport: and

iii) any mixture, with or without neutral materials of any of the above forms of hemp or any drink prepared therefrom.

d) "opium" means:-

i) The capsules of the poppy (*Papaver somniferum*. L) whether in their original form or cut, crushed or powdered and whether or not juice has been extracted therefrom.

ii) The spontaneously coagulated juice of such capsule which has not been submitted to any manipulation other than those necessary packing and transport: and.

iii) Any mixture with or without neutral material, of any of the above form of opium; but does not any preparation containing not more than 0.2% of morphine.

f)"Opium Derivative" means:-

1) Medicinal opium that is, opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the British Pharmacopoeia whether in powder form or granulated or otherwise or mixed with neutral materials;

ii) Prepared opium, that is, any product of opium obtained by any series of operations designed to transform opium into an extract suitable for smoking, and the dross or other residue remaining after opium is smoked.

iii) Morphine, that is, the principal alkaloid of opium having the chemical formula C.17, H.1, No.3, and its salts.

iv) Diacetylmorphine or heroin, having the chemical formula C.21, H.23, No.5, and its salts; and

v) All preparations, official and non-official containing more than 0.2 percent of morphine, or containing any diacetylmorphine.

1) "Manufactured drug" includes:-

i) All coca derivatives, medicinal hemp and opium derivatives; and

ii) Any other narcotic substance which the Central Government may, by notification in the official Gazette made in pursuance of any international convention supplementing the Geneva Convention declare to be a manufactured drug; but does not include any preparation which the Central Govt, may by notification in the official Gazette made in pursuance of a finding under Article 8 of Geneva Convention, declare not to be a manufactured drug;

h)"Dangerous Drug"

i) " to import into India" means to bring into India by land, sea or air across any of the Customs frontiers defined by the Central Government and includes the bringing into any port or place in India of a dangerous drug intended to be taken out of India without being removed from the ship or conveyance in which it is being carried;

j) "to import inter-provincially"
means to bring into a State otherwise than across any of the said customs frontiers.

k) "to export from India"
means to take out of India by land, sea or air across any of the said customs frontiers;

l) "to export inter-provincially"
means to take out of State otherwise than across any of the said Customs frontiers

m) "to Transport"
means to take from one place to another in the same State.

3. Calculation of Percentages in Liquid Preparations:-

The Central Government may make rules prescribing the method by which percentages in the case of liquid preparations shall be calculated for the purposes of clauses (a), (b), (c), and (f) of Section.2

Provided that, unless and until such rules are made, such percentages shall be calculated on the basis that a preparation containing one percent of a substance means a preparation in which one gram of the substance, if a solid or one millilitre of the substance, if a liquid, .is contained in every one hundred millilitres of the preparation and so in proportion for any greater or less percentage.

4. Prohibition on certain Operation:

i) No one shall.

a) Cultivate any coca plant, or gather any portion of a coca plant.

- b) manufacture or possess prepared opium, unless it is prepared from opium lawfully possessed for the consumption of the person so possessing it, or
- c) import into India, export from India tranship on sell prepared opium;

Provided that this section shall not apply to the cultivation of any coca plant or to the gathering of any portion thereof on behalf of Government.

- ii) The State Government may make rules restricting and regulating the manufacture and possession of prepared opium from opium which is lawfully possessed under clause (B) of Sub-Section (1)

5. Control of Central Government over production and supply of opium:-

- i) no one shall
 - a) Cultivate the poppy (*Papaversomniferum L*) or
 - b) Manufacture opium,

Save in accordance with rules made under Sub-Section(2) and with the conditions of any license for that purpose which he may be required to obtain under those rules.

- ii) The Central Govt. may make rules permitting and regulating the cultivation of the poppy (*Papaver somniferum L*) and the manufacture of opium, and such rules may prescribe the form and conditions of licences for such cultivation and manufacture, the authorities by which such licences may be granted, the fees that may be charged therefore, and any other matter requisite to render effectively the control of the Central Government over such cultivation and manufacture.

- iii) The Central Govt. may also make rules permitting and regulating the sale of opium from Govt. factories for export to State Govts. or to manufacturing chemists.

6. Control of Central Government over manufacture of manufactured drugs:-

- 1) No one shall manufacture any manufactured drug, other than prepared opium, save in accordance with rules made under Sub Section (2) and with the conditions of any license for that purpose which he may be required to obtain under those rules.

- 2) The Central Government may makes rules permitting and regulating the manufacture of manufactured drugs, other than prepared opium, and such rules may prescribe the form and conditions of licences for such manufacture, the authorities by which such licences may be granted and the fees that may be charged therefore; and any other matter requisite to render effective the control of the Central Government over such manufacture.

3) Nothing in this section shall apply to the manufacture of medicinal opium or of preparations containing morphine, diacetylmorphine or cocaine from materials which the maker is lawfully entitled to possess.

7. Control of Central Government over operations at land sea frontiers:-

1) No one shall a) import into India, b) export from India or c) tranship any dangerous drug', other than prepared opium, save in accordance with rules made under sub-section(2) and with conditions of any licence for that purpose which he may be required to obtain under those rules.

2) The Central Government may make rules permitting and regulating the import into and export from India and the transhipment of dangerous drugs, other than prepared opium, and such rules may prescribe the ports or places at which any kind of dangerous drug may be imported, exported or transhipped, the form and conditions if licences for such import, export of the transhipment, the authorities by which such licences may be granted, the fees that may be charged therefore, and any other matter requisite to render effective the control of the Central Government over such import, export and transhipment.

3) Save in so far as may be expressly provided in rules made under Sub-Section (2) nothing in this section shall apply to manufactured drugs which are the properly in the possession of Government.

Provided that such drugs shall not be sold or otherwise delivered to any person who under the rules made by the State Government under this section is not entitled to their possession.

9. Control of State Government over external dealings in Dangerous Drugs:-

No one shall engage in or control any trade whereby a dangerous drug is obtained outside India and supplied to any person outside India save in accordance with the conditions of a licence granted by and at the descretion of the State Government.

10. Punishment for Contravention of Section.4

1) whoever

a) Cultivate any coca plant or gathers any portion of a coca plant.

b) manufacture or possesses prepared opium otherwise than as permitted under Section.4
or

c) imports into india export from India tranships of sells prepared opium.

shall be punishable with imprisonment which may extend to those years, with or without fine.

Provided that this section shall not apply to the cultivation of any coca plant or to the gathering of any portion thereof on behalf of Government.

ii) Punishment for contravention of Section. 5

Whoever in contravention of Section.5 or any rule made under that section, or of any condition of a licence granted thereunder.

a) Cultivates the poppy, or b) manufacture opium.

Shall be punishable with imprisonment which may extend to three years, with or without fine.

13. Punishment for contravention of Section. 7

Whoever in contravention of Section. 7 or any rule made under that Section, or any condition of a licence granted thereunder.

a)Imports into, India. b) exports from India, or

c) Tranships any Dangerous Drug, shall be punishable with imprisonment which extend to three years, with or without fine.

14. Punishment for Contravention of Section.8

Whoever in contravention of Section.8, or any rule made under that section or any condition of a licence issued thereunder.

a) Imports or exports inter-provincially, transports, possesses or sells any manufactured drug or cocaleaf, or

b) Manufactures medicinal opium or any preparation containing morphine, Diacetylmorphine or cocaine.

Shall be punishable with imprisonment which may extend to three years, with or without fine.

15. Punishment for allowing premises to be used for commission of an offence.

Whoever being the owner or occupier of having the use of any house, room, enclosure, space, vessel, vehicle or place, knowingly permits it to be used for the commission by any other

person of an offence punishable under Section. 10, Section.12, Section. 13 or Section. 14, shall be punishable with imprisonment which may extend to three years, with or without fine.

16. Enhanced punishment for certain offences after previous conviction.

Whoever, having been convicted of an offence punishable under Section. 10, Section. 12, Section.13, or Section. 14, is guilty of any offence punishable under any of those sections shall be subject for every such subsequent offence to imprisonment which may extend to four years with or without fine.

17. Enhanced punishment for offence under Section.15 after previous conviction.

Whoever, having been convicted of an offence punishable under Section. 15, is again guilty of any offence punishable under that section shall be subject for every such subsequent offence to imprisonment which may extend to four years, with or without fine.

18. Security for abstaining from commission of certain offences:-

1) Whenever any person is convicted of an offence punishable under Section. 10, Section.12, Section.13 or Section. 14 and the court convicting him is of opinion that it is necessary to require such person to execute a bond for abstaining from the commission of offences punishable under those sections the Court may, at the time of passing sentence on such person order him to execute a bond for a sum proportionate to his means, with or without sureties for abstaining from the commission of such offences during such period, not exceeding three years, as it thinks fit to fix.

2) The bond shall be in the form contained in schedule, I and the provisions of the code of criminal procedure, 1898, shall in so far as they are applicable, apply to all matters connected with such bond as if it were a bond to keep the peace ordered to be executed under section 106 of that code.

3) If the conviction is set a side on appeal or otherwise, the bond so executed shall become void.

4) In order under this section may also be made by an appellate Court, or by the high court when exercising its powers of revision.

19. Penalty for Contravention of Section.9

Whoever engages in or controls any trade where by a dangerous drug is obtained outside India and supplied to any person outside India, otherwise than in accordance with the conditions of a licence granted under Section.9, shall be punished with fine which may extend to one thousand rupees.

20. Attempts:-

Whoever attempts to commit an offence punishable under this chapter, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall be punished with the punishment provided for the offence.

21) Abetments:-

1) Whoever abets an offence punishable under the chapter shall, whether such offence be or be not committed in consequence of such abetment, and notwithstanding anything contained in Section. 116 of the Indian Penal Code be punished with the punishment provided for the offence.

2) A person abets an offence within the meaning of the section who, in India abets the commission of any act in a place without and beyond India which,

a) Would constitute an offence if committed within India or,

b) under the laws of such place, is an offence relating to dangerous drugs having all the legal conditions required to constitute it an offence punishable under this chapter, if committed in India.

(N. 8:- Only few sections have been included in this chapter which are essential)

12.THE HYDERABAD SLAUGHTER OF ANIMALS ACT, **1950 ACT NO.VII OF 1950**

Whereas it is expedient to regulate and restrict the slaughter of animals for human consumption.

It is hereby enacted as follows:-

1) (1) This Act may be called the Hyderabad (Slaughter of Animals) Act, 1950.

2) (2) It extends to all Municipal and Town areas in the Hyderabad State and shall come into force in each such Area from such date as Government may by notification in the Jardia appoint in respect of the area.

2) In this Act unless there is anything repugnant in the subject or context.

(1) Animal includes such animals only as Government may by notification in the Jardia declare to be animals for the purposes of this Act.

(2) Municipal area means an area which is for the time being a municipality for the purposes of the Hyderabad Municipal and Town Committees A in (IV of 1952 F)

(3) Prescribed means prescribed by rules made under this Act.

(4) Town area means in area which is for time being a small town for the purposes of the Hyderabad Municipal and town committees A in (IV of 1352 F) or which Government has by notification in the Jardia declared to be a town area for the purpose of this Act.

(5) Veterinary Officer means an officer or person appointed under Section.3

3) Government may by notification in the Jardia appoint any officer or person to be the Veterinary Officer for an area in which this Act is for the time being in force.

4) In an area in which this Act is for the time being in force, no person shall slaughter, or procure the slaughter, of any animal for human consumption otherwise then.

(1) On the authority of a certificate granted by the Veterinary Officer for the area that the animal is fit for slaughter and

(2) in a slaughter house licensed for the slaughter of animals for human consumption.

5) (1) The Veterinary Officer shall not grant the certificate referred to in clause (1) of Section.4 if in his opinion.

(a) the animal, whether male or female.

(i) has not attained the age of three years, or

(ii) is useful for the purpose of draught or any kind of agriculture operations.

(b) the animal, if male, is useful for the purpose of breeding.

(c) the animal if female, is useful for the purpose of

2) Government may of its own motion, or on the application of any person aggrieved by the refusal of a Veterinary Officer to grant the certificate referred to in clause (1) of Section.4 call for the papers relating to the refusal and pass such orders as it thinks fit.

3) Save as provided in sub-section(2) the opinion of the Veterinary Officer on all the questions on which he is required by sub-section(1) to form an opinion shall be final and shall not be called in question in any court.

4) The Certificate referred to in clause(1) of Section.4 shall be granted in such form and on payment of such fee as may be prescribed.

6) (1) For the purposes of this Act a Veterinary Officer or a person authorized by him in this behalf shall have power to enter and inspect any premises or other place whereas he has reason to believe that an offence under this Act has been or is likely to be committed.

(2) Every person on the premises or the other place shall allow the Veterinary Officer or the person authorised access to and to inspect the premises or the other place and answer truthfully any question asked of him.

7. Whoever does any act in contravention of Section.4 or section.6 shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

8. Notwithstanding anything contained in the Hyderabad Criminal Procedure Code every offence punishable under Section.7 shall be cognizable.

9. Every Veterinary Officer shall be deemed to be a public servant within the meaning of section.61 of the Hyderabad Penal Code, 1324 Fasli.

10. No suit, prosecution or other legal proceedings shall be instituted against any person for anything which is in good faith done or intended to be done under this Act, or the rules made thereunder.

11. (1) Subject to the condition of previous publication Government may by notification in the Jardia make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide for:-

(a) the powers and tueiss to be exercised by Veterinary Officers in addition to the powers and duties conferred or imposed by this act.

(b) the authority by whom and the conditions on which slaughter-houses shall be licensed for the purposes of clause(2) of Section.4 the persons who shall be responsible for the observance of the conditions and the circumstances in which such licence may be cancelled:

(c) any matter which is to be or may be prescribed.

(3) Rules made under clause(b) of a sub-section(2) may provide that a contravention of the conditions of a licence shall be punishable with fine which may extend to one thousand rupees.

12. Government may by notification in the Jardia delegate:-

i) to any local authority the powers and functions of Government under Section.3 within the local area subject to the jurisdiction of the local authority:

ii) to any officer of Government the powers and functions of Government under Sub-Section(2) of Section.6

13. (1) In any area in which this Act is for the time being in force, a licence granted under Sub-Section.66 of the Hyderabad Sanitary Powers A in (V of 1352. F) here in after referred to as the said. A in for the use of premises fixed under that Sub-Section for the slaughter of animals shall not apply to the use of such premises for the slaughter for human consumption of animals for the time being declared to be animals for the purpose of this Act.

(2) Subject to the provisions of Sub-Section (1) nothing in this Act or in the said A in shall be deemed to preclude the licensing as a slaughter hours for the purposes of this Act of premises fixed for the slaughter of animals under Sub-Section(1) of section.66 of the said" A" in or such fixing as aforesaid of premises so licensed.

13. THE MADRAS CATTLE DISEASES ACT (ANDHRA PRADESH) (ACT.11 OF 1966) ANDHRA PRADESH EXTENSION AND AMENDMENT ACT, 1959.

**(G.O.Ms.No.176, Agriculture, dated. 30th January 1961) D.Dis.No..112154-C3/, dated. 9th
February, 1966)**

Preamble.

WHEREAS it is expedient to take measures to prevent the spreading of contagious or infectious diseases among animals in the State of Andhra Pradesh and with that object to prescribe bye-law in what way animals so infected shall be dealt with: it is hereby enacted as follows:-

1. Acts to be extended to such places and during such periods of time as .the Governor of Andhra Pradesh thinks proper. This Act shall be put in force in.such districts or parts of districts, and during such periods to time, as the Governor of Andhra Pradesh mayor subject to his control the Board of Revenue from time to time direct by notification in the Andhra Pradesh Gazette.

2 Interpretation Clause:- The following words and expressions in this Act shall have the meaning hereby assigned to them unless there be something in the subject or context repugnant to such construction.

Magistrate: - The word "Magistrate" shall include all persons exercising all or any of the powers of a Magistrate.

Number: - Words imparting the singular number shall include the feminine.

Gender: - Words importing the masculine gender shall include the feminine.

Animals: - The word "Animal" shall mean any camel, buffalo, horse, pony, ass, bull, bullock, cow, heifer, calf, sheep, lamb, goat, kid or swine.

3. Establishment of Hospital Pounds:- Whenever this Act shall have been applied, as above provided, to any district or part of a district, hospital pounds shall be established in such places as the Magistrate of the district (or, in the City of Hyderabad, the Commission of the Municipal Corporation, Hyderabad shall determine and keepers shall be appointed to such pounds by the said Magistrate. The village or villages by which every hospital pound is to be used shall be determined and notified by the Magistrate.

4. Notice by Owner of Cattle Affected disease:- Whenever in any district or part of a district to which this Act has been extended as above provided any animal is attacked by any contagious or infectious disease, it shall be the duty of the owner, or of the person in charge thereof to give immediate notice to the keeper of the hospital pound provided for the village or township in which the animal may at the time be.

5. Examination by pound-keeper: - On receiving notice as aforesaid, the keeper of the hospital-pound shall, as soon as possible examine the animal. and shall decide whether it is necessary to place it in the hospital pound for treatment.

6. Removal to the Hospital-Pound:-If the keeper of the hospital pound should be of opinion that the Animal has any contagious or infectious disease, he may thereupon require the owner of the animal or the person in charge thereof to place it in the hospital-pound and if necessary, shall require the owner or the person in charge to take such measures as he may direct for disinfecting the shed or other place in which the said animal may have been kept.

7 Inspection of Places in which Animals suspected to be diseased are found:- Every keeper of a hospital-pound, or person there to be authorised, by the Magistrate of the District (or, in the City of Hyderabad, the Commissioner of the Corporation of Hyderabad) shall have the power, within the range for which he is appointed, to enter upon to inspect any premises or place in which any animal or animals, which he suspects to be labouring under contagious or infectious disease, may be found, and to examine and inspect whenever or wherever he may deem it

necessary, any animal or animals which he suspects to be labouring under such disease and to require the removal of such animal or animals to the hospital-pound for the range.

8. Cleansing of premises in which Diseased Animal has been or is Every Keeper of a hospital pound or person thereto authorized by the Magistrate of the District(or in the City of Hyderabad the Commissioner of the Corporation) shall have power, within his range to cause to be cleansed and disinfected. 1. any manner which he may think proper premises in which any animal labouring under any contagious or infectious disease has been or may be and to cause to be disinfected, and if necessary, destroyed, any fodder, manure or refuse matter which he may deemlikely to propogate the said disease.

9. Expenses for food and treatment by whom to be borne, From the timewhen any animal affected as aforesaid is taken charge of by the keeper of the hospital pound, all expenses incurred on account of feeding and medical treatment for the said animal shall be borne by the cattle pound fund established under Act. No.111 of 1857 unless the owner or person in charge thereof desires to supply the food and medicines himself provided always that such food and medicines shall be such as the keeper of the hospital pound may approve or direct.

10. Power to destroy disease Animal:- The keeper of the hospital pound or other person thereto authorised by the Magistrate of District(or, in the City of Hyderabad the Commissioner of the Municipal Corporation shall be empowered to destroy any animal either before or after it has been impounded as aforesaid whenever it has been impounded as aforesaid whenever it shall appear to him to be necessary to prevent the spread of contagion or infection.

Buifial of Carcass: - When any animal shall have been so destroyed or shall die whilst in charge of the keeper of the hospital pound, it shall be the duty of the said keeper to have the carcass of the animal buried at least six feet below the surface of the ground, and any cost incurred in so doing shall be met from the cattle-pound fund.

Bar of Claim to compensation:- No compensation shall be claimable in respect of any loss incurred by reason of any Act authorised by this section.

11. Owner to pay cost for Animal Cured:- Should an animal impounded as aforesaid recover from the disease under which it may have been labouring, the owner or person who was incharge thereof shall pay to the keeper of the hospital pound to be placed to the credit of the cattle-pound fund the actual cost of the feeding and treatment of such animal.

Recovery in case of Default:- Should he fail to pay the expenses aforesaid, then the said animal shall be sold by auction, and the sum realised by its sale after deducting the amount of the expenses, shall be paid over to the owner or the person who was in charge.

When not chargeatle:- Provided always that, in such cases as the owner or person who was in-charge may elect to supply food and medicine he shall not be required to pay any charge whatever.

12. Bar to removal, without licence of Animal in Contact with Diseased Cattle:- No person having in his possession, or under his custody, any animal which has been in the same shed or stable, or in the same herd or flock, or in contact with any animal labouring under any contagious or infectious disease, shall remove such animal alive from his land or premises without the licence of the keeper of the hospital-pound for the range, or of some person authorised by the Magistrate of the district(or, in the City of Hyderabad and Commissioner of the Municipal Corporation or grant such licence.

Licences:- Every such licence shall be in writing and shall only permit the removal of such animal to some place where it can be conveniently kept apart from all other animals until the hospital-pound keeper or other person authorised as aforesaid, is satisfied that there is no reasonable probability of such animal propagating the disease.

13. Penalty for failing to give notice when Animal is attacked by Disease:-If any person who may be in charge of any animal at the time of its being attacked by a contagious or infectious disorder shall fail to give notice to the hospital-pound keeper of the Village, as required in Section A the said person shall be liable on conviction before a Magistrate to a fine not exceeding rupees five for every instance of such neglect commutable if not paid to simple imprisonment for any period not exceeding ten days.

14. Penalty for refusing to obey directions of Cattle pound keeper etc:- Any person who shall fail to comply with the directions of a hospital-pound-keeper, or of a person duly authorised by the Magistrate of the district(or, in the City of Hyderabad the Commissioner of the Municipal Corporation) in that behalf as to impounding any diseased animal; or to the disinfecting of any premises or place where any diseased animal may have been kept: or to the disinfecting or destroying any fodder, manure, and refuse matter which may be likely to propagate the disease or who may remove without a licence, any animal which has been in the same shed or stable or in the same herd or flock or in contact with any animal labouring under any contagious, or infectious disease shall on conviction before magistrate be liable, for every such offence to a fine of twenty rupees commutable, if not paid to simple imprisonment for any period not exceeding ten days.

15. Penalty for opposing seizure and impounding of Diseased Animals:- In any district or part of a district in which this Act is in force, hospital-pound-keeper all police officers not below the rank of sub-inspector and such other persons as the Magistrate of the district(or, in the city of Hyderabad, the Commissioner of the Municipal Corporation) may specially empower, may seize and impound all animals suffering from contagious or infectious disease and any person who shall forcibly oppose such seizure or who shall forcibly rescue the animals after such seizure shall be deemed to have committed an offence punishable under Section. 186 of the Indian Penal Code.

16. Complaint Seizure by Owner:- Any person, whose animals shall have been seized as being diseased, may prefer a complaint against the seizure, at any time within ten days from the date thereof, to any Magistrate.

Form of Complaint:- The Complaint may be either verbal, in which case the substance of it shall be taken down in writing by the Magistrate, or written upon plain paper and shall be preferred by the complainant in person, or by agent person any acquainted with the circumstances.

Procedure thereon:-If, on examination of the complainant or his agent, the Magistrate shall see reason to believe the complaint to be well founded, he shall summon-the party complained against, and shall proceed to make a summary inquiry, into the case.

If the seizure be adjudged illegal, the Magistrate shall award to the complaint such damages as he may deem to be a reasonable compensation for any loss or injury sustained from the unlawful seizure together with all expenses incurred by the complainant in procuring the release of the animals:- or if the animals have not been released, the Magistrate, in addition to the award of damages, shall make an order for their release, and shall direct that the expenses leviable under this Act shall be paid by the party who made the seizure.

The amount of all damages and expenses so awarded shall be recoverable according to the process prescribed in Act. No.V. of 1859.

17. Fees and fines to be credited to Cattle-Pound Fund:- All fines levico under this Act shall be credited to the Cattle-Pound fund established under the provisions of Act. No. III of 1857, which fund shall be available for payment of all expenses incurred under the provisions of this Act.

Reward to informer:- Provided that it shall be lawful for the Officer inflicting a fine under this Act to direct any portion thereof, not exceeding one-half, to be paid to the informer.

18. Power to make by laws:- It shall be lawful for the Governor by notice published in the Andhra Pradesh Gazette to make and prescribe such by-laws, any may from time to tirile seem necessary for the more effectually preventing the spreading of infectious or contagious diseases among animals provided that such bye-laws shall not be repugnant to the provisions of this or any other Act.

19. Penalty for Breach:- A breach of any such by-laws shall render the party liable, on conviction before a Magistrate to a fine not exceeding rupees ten, commutable to simple imprisonment for fifteen days.

14. THE MADRAS LIVE-LIVESTOCK IMPROVEMENT ACT, 1940

ACT NO.XV OF 1940

An Act to provide for the improvement of Livestock for the province of Madras.
Whereas it is expedient to provide for the improvement of Livestock in the Province of Madras: (It is hereby enacted as follows:-

- (1) This Act may be called the Madras Livestock Improvement Act, 1940.
 - (2) It extends to the whole of the (State) of Madras.
 - (3) This section shall come into force at once, and the (state) Government may from time to time by notification in the Fort.St.George Gazette apply all or any of the remaining provisions of this Act to the whole or any provisions of this Act to the whole of any portion of the (State) of Madras from such date and for such period, if any, as may be specified in the notification, and may cancel or modify any such notification.
2. In this Act, unless there is anything repugnant in the subject or context.
- (a) "Bull" includes a buffalo-bull
 - (b) "Cow" includes a buffalo-cow and a heifer.
 - (c) "Director" means the officer appointed by the (State) Government as the (Director of Animal Husbandry) for the (State) of Madras and includes any other person on whom the powers or duties of the Director under this Act have been conferred or imposed under Section.3
 - (d) "Licence" means a licence granted under Section.4
 - (e) "Licencing Officer" means the Director or any other officer or person authorized to grant licences under Section.4
 - (f) "Prescribed" means prescribed by rules made under this Act.
 - (g) A person is said to keep a bull if he owns the bull or has the bull in his possession or custody: and
 - (h) a bull is said to be castrated if it is rendered incapable or propagating its species.
3. The (State) Government may, by general or special order, confer or impose on any person all of any of the powers or duties of a Director under this Act.

4. (1) No person shall keep a bull which has attained the prescribed age except under and in accordance with the terms, conditions and restrictions of a licence granted under this section. unless it is certified by the prescribed officer that the bull has been effectively castrated by a method and in a manner approved by the Director.

Explanation:- Where a person keeps more than one bull, he shall obtain a separate licence in respect of each bill.

(2) Every licence under this section shall be granted by the Director or any Officer or person authorised by him by general or special order, It shall be in such form, for such period, and subject to such terms, conditions and restrictions as may be prescribed.

No fee shall be charged for the grant of the licence.

5. (1) Subject to such rules as may be prescribed, the licensing officer may refuse to grant or may revoke a licence in respect of any bull if in his opinion the bull appears to be.

a) of defective or inferior conformation and consequently likely to be. get defective or inferior progeny or.

b) Suffering from an incurable contagious or infectious disease or from any other disease rendering the bull unsuitable for breeding purposes, or

c) of a breed which it is undesirable to propogate in the district or part of the district in which it is kept.

2. The licensing officer may also revoke a licence granted in respect of any bull kept within his jurisdiction (whether such licence was granted by himself or by any other officer) if in his opinion.

a) the licence was granted under circumstances of which the licencing officer not aware at the time of granting the licence, or b) there has been a breach of any of the terms, conditions or restrictions of the licence.

b) If a licence is revoked under this section, the officer revoking the licence shall give notice thereof to the person keeping the bull or to the person stated in the licence to be the owner of the bull. The notice shall see out the ground for the revocation.

c) No person shall be entitled to any compensation for the refusal or reviviation of any licence under this Section.

6. A licence granted in respect of a bull shall be surrendered without delay to the licencing officer,if

a) the period specified in the licence expires,or

b) the bull dies, or is certified by the prescribed officer to have been

effectively castrated by a method and in a manner approved by the Director.

7. The licensing officer may by order require any person keeping a bull to submit it for inspection by himself or by any officer or person deputed him for the purpose, at any reasonable time, either at the place where the bull is kept for the time being or at any other reasonable place specified in the order, and there upon it shall be the duty of the person keeping the bull to submit it for inspection accordingly and render all reasonable assistance in connection with such inspection to the officer concerned.

8. (1) The licensing officer may by order require any person keeping a bull which in his opinion has attained the prescribed age, and in respect of which no licence is for the time being in force under this Act, to have it castrated within one month from the date of the service of the order, by a method and in a manner approved by the Director and specified in the order.

(2) Such castration shall be performed or caused to be performed by the licensing officer free of charge, unless the owner or other person keeping the bull desires to make his own arrangements for complying with the order.

9. If any notice or order is served under Section.5 Section.7, or Section.8 on any person who is not the owner of the bull, it shall be the duty of that person forth with to take all reasonable steps to inform the owner of the contents of such notice or order and if he fails to do so, he shall be liable to indemnify the owner against any loss the owner may sustain by reason of such failure.

10. It shall be the duty of any person who for the time being keeps a bull in respect of which a licence has been obtained and is in force, to produce such licence.

(a) Within a reasonable time, at any place where the bull is for the time being, on demand made by a licencing officer or an (Officer of the Animal Husbandry

Department not below the rank of Assistant Surgeon) or an officer of the Agriculture Department not below the rank of Upper Subordinate, or an officer of the Revenue Department not below the rank of Revenue Inspector, or such other officer as may be authorized in this behalf by the (State) Government by general or special order, or.

(b) Before a cow is served by the bull, on demand made by the person in charge of the cow.

11. Whoever:-

a) Keeps a bull in contravention of this Act or of any rule or order made there under, or any terms, conditions or restrictions of licence or,

b) neglects or fails to submit a bull for inspection when required to do so, under Section. 7 or

c) neglects or fails to comply with an order served under Section.8 or

shall be punishable with fine which may extend to fifty rupees and in the case of second or any subsequent offence with fine which may extend to one hundred rupees.

12. (1) If a person who keeps a bull neglects or fails to submit it for inspection, or to have it castrated when required to do so under Section.7 or Section.8, the licensing officer may direct that the bull shall be castrated by a method and in a manner approved by the Director and marked with a prescribed mark in the prescribed manner, free of charge.

(2)(a) If it is not known in whose ownership, possession or on custody a bull for the time being and the fact cannot be ascertained after an inquiry in the prescribed manner, the licensing officer may seize the bull or cause it to be seized, and if he is of opinion that the bull has attained the prescribed age and is unsuitable for breeding purposes on any of the grounds specified in subsection(1) of section.5 may direct that the bull shall be castrated by a method and in a manner approved by the Director and marked with a prescribed mark, free of charge.

(b) Every bull seized under clause (a) shall after it has been castrated and marked as aforesaid where necessary, be sold by public auction or sent to a pinjrapole or infirmary recognized by the (State) Government in this behalf.

(c) In case the owner of any bull seized under clause (a) appears before the licensing officer within such time as may be prescribed in this behalf and proves to the satisfaction of such officer that the bull is owned by him.

(i) in case the bull has been sold by public auction, the proceeds of such sale shall be paid to the owner after deducting there from the cost, charges and expenses incurred for its maintenance.

(ii) in any other case, the bull shall be delivered to the owner on payment of the cost, charges and expenses incurred for its maintenance.

(d) The costs, charges and expenses referred to in such clauses(i) and (ii) of clause(c)

13. For the purpose of this Act, a licensing Officer or any officer or person authorized by him in this behalf shall have power at all reasonable times-

a) to inspect any bull.

b) to make any bull with a prescribed mark in the prescribed manner: and

c) subject to such conditions and restrictions, if any, as may be prescribed, to enter any premises or other place where he has reason to believe that a bull is kept.

14. It shall be the duty of all village officers and servants and of all officers of the (Animal Husbandry), Agriculture and Revenue Departments.

a) to give immediate information to the nearest licensing officer of the commission of any offence, or of the intention or preparation to commit any offence punishable under this Act, which may come to their knowledge:

b) to take all reasonable measures in their power to prevent the commission of any such offence which they may know or have reason to believe is about or likely to be committed: and

c) to assist any licensing officer in carrying out the provision of this Act.

15. No Magistrate shall take cognizance of any offence under this Act

except upon a complaint made a licensing officer or any person authorized by such officer in this behalf.

16. The Director, every licensing officer, all officers authorized by the Director or a licensing officer, under this Act, and all village officers and servants, shall be deemed to be public servants within the meaning of section. 12 of the Indian Penal Code.

17. (1) No suit, prosecution or other proceeding shall lie against any officer or servant of the (State) Government for any act done or purporting to be done under this act with the previous sanction of the (State) Government

(2) No officer or servant of the (State) Government shall be liable in respect of any such act in any civil or criminal proceedings if the act was done in good faith in the course of the execution of duties or the discharge of functions imposed by or under this Act.

18. No suit shall be instituted against the (Government) and no suit, prosecution or other proceeding shall be instituted against any officer or servant of the (State) Government in respect of any act done or purporting to be done under this Act unless the suit, prosecution or other proceeding is instituted within six months from the date of the act complained of.

19. The (State) Government may at any time either suomotu or on application, call for and examine the record of any order passed by, or any proceedings recorded by, any officer or person under this Act, for the purpose of satisfying, themselves as to the legality or propriety of such order or as to the regularity of such proceedings, and may pass such order in reference there to as they think fit.

Nothing contained in this section shall apply to the orders or proceedings of any court of Magistrate.

20. (1) The (State) Government may make rules to carry out the purposes of this act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for.

(a) all matters expressly required or allowed by this Act to be prescribed.

(b) the circumstances in which duplicates of licences may be granted, the fees which may be charged for the grant of such duplicates, and the conditions, restrictions and limitations subject to which they may be granted:

(c) the powers to be exercised and the duties to be performed by officers appointed under this Act, and the procedure of such officers: and

(d) the service of notices and orders issued under this Act.

3) In making a rule under sub section (1) or sub-section (2), the (State) Government may provide that a person guilty of a breach thereof shall be punishable with fine which may extend to fifty rupees.

4) The power to make rules conferred by this section shall be subject to the condition of the rules being made after previous publication.

5) All rules made under this section shall be published in the Fort. St. George Gazette and upon such publication shall have effect as if enacted in this Act.

15. THE MADRAS RINDERPEST ACT, 1940

(Act.No.XIX of 1940)

(17th December, 1940)

And Act to provide for the prevention and control of rinderpest in the (State of Andhra Pradesh)

Whereas it is expedient to provide for the prevention and control of rinder-pest in the (State of Andhra Pradesh) (It is hereby enacted as follows:-)

1. (1) This Act may be called the Madras Rinderpest Act, 1940.

(2) It extends to the whole of the (State of Andhra Pradesh)

(3) This section shall come into force at once, and the (State) Government may from time to time by notification in the Fort St.George Gazettee apply all or any of the remaining provisions of this Act to the whole or any portion of the (State of Andhra Pradesh) from such date and for such period, if any, as may be specified in the notification, and may cancel or modify any such notification.

2. Nothing contained in the Madras Cattle-Disease Act, 1866, shall apply to the disease of rinderpest in any area to which the provisions of this Act have been applied by notification under sub-section (3) of section I so long as such notification remains in force.

3. In this Act, unless there is anything repugnant in the subject or context.

(a) animal means any camel, buffalo, bull, bullock, cow, heifer, calf, sheep, lamb, goat, kid, swine or deer:

(b) infective animal means an animal which is affected with rinderpest or has recently been in contact with, or in close proximity to, an animal so affected: and

(c) prescribed means prescribed by rules made under this Act.

4. (1) The (State) Government may appoint any person they think fit to be a Veterinary Surgeon for the purpose of this Act within such local limits as they may assign to him.

(2) The (State) Government may appoint any person they think fit to be an inspector for all the or any of the purposes of this Act within such local limits as they may assign to him.

(3) A Veterinary Surgeon shall within the local limits assigned to him have all the powers of an inspector under this Act, and may exercise such powers concurrently with his powers as Veterinary Surgeon.

(4) Every person appointed under this section shall be deemed to be a public servant within the meaning of the Indian Penal Code.

(5) The (State) Government may, for the purpose of preventing the outbreak or spread of Rinderpest in or from any area, by notification in the Fort St. George Gazette.

(a) direct that all animals in such area or any class of such animals shall be compulsorily inoculated in accordance with such rules as may be prescribed or such directions as may be specified in the notification:

(b) prohibit or regulate in such manner and to such extent as may be prescribed or as may be specified in the notifications, the bringing into such area from any other area in the (State) or any part thereof, or the transport from one place to another in such area, of any animals alive or dead, or of any products of animals or of any parts of animals, or of any fodder, bedding or other thing used in connection with animals which may, in the opinion of the (State) Government, carry infection: or

(c) prohibit or regulate in such manner and to such extent as may be prescribed or as may be specified in the notification in such area or any part thereof or any other area in the (State)

(i) the holdings of animal markets, animal fairs, animal exhibitions or other concentrations of animals: or

(ii) the sale of, or other traffis in, infective animals or their products or the carcasses of animals which at the time of their death were infective, or any parts of such animals or any fodder, bedding or other thing used in connection with such animals which may, in the opinion of the (State) Government, carry infection.

6. Every owner or person in charge of, and every Veterinary Practitioner who has been called to treat, an animal which he has reason to believe to be affected with rinderpest shall forthwith report the fact to the Inspector exercising powers in the area.

7. Subject to such rules as may be prescribed, the Veterinary Surgeon may make or cause to be made a post-mortem examination of any animal 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 animal to be exhumed.

8. (1) Where an Inspector has reason to believe that any animal is infective, he may, by order in writing, direct the owner or person in charge of such animal 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 as may be specified in the order.

Provided that where there is no person in charge of the animal and the owner is unknown or the order cannot be communicated to him without undue delay, the Inspector may seize the animal and remove it to a place of isolation or segregation.

(2) The Inspector shall forthwith report to the Veterinary Surgeon every order of seizure made under sub-section (1)

(3) On receipt of a report under Sub-Section(2) the Veterinary Surgeon shall as soon as possible examine the animal and all animals with which it has been in contact or to which it has been in close proximity and for this purpose may submit any animal to any test which may be prescribed in this behalf.

(4)(a) If after such examination the Veterinary Surgeon is of opinion that any animal is not infective, the Inspector shall forthwith return it to the person who is in his opinion is entitled to its possession.

Provided that where such person cannot in the opinion of the Inspector be found after reasonable inquiry, he shall send the animal to the nearest cattle pound or deal with it in such other manner as may be prescribed.

(b) If after such examination the Veterinary Surgeon certified in writing that any animal is affected with rinderpest the Inspector shall destroy the animal or deal with it in such other manner as may be prescribed.

(c) If after, such examination the Veterinary Surgeon certified in writing that any animal is infective though not affected with rinderpest, the animal shall be subjected to not such treatment, if any, and be otherwise dealt with in such manner as may be prescribed.

9. (1) Every vessel or vehicle used by a common carrier for the transport of animals shall be cleansed and disinfected periodically in such manner as may be prescribed.

(2) The (State) Government may appoint places where an Inspector may detain and inspect any such vessel or vehicle, and it is not in a sanitary condition, require to be cleansed and disinfected in the prescribed manner.

(3) This Section shall not apply to the rolling stock of any railway.

10. Subject to such rules as may be prescribed, the Veterinary Surgeon may, by order in writing, require the owner, occupier or person in charge of any building, yard, vessel or vehicle in which an infective animal has been kept, 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.

11. (1) If the Inspector has reason to believe that there is an infective animal in any field, yard or building in which animals are kept, temporarily 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.

Provided that this Sub-Section shall not apply to any place owned by, or under the control or management of, any local authority or railway administration where animals are kept temporarily' for purposes of sale, exhibition or transit.

(2) On the receipt of a report under sub-section (1) the Veterinary Surgeon shall as soon as possible examine the infected place and the animals kept therein and confirm or cancel the order of Inspector.

(3) If the Veterinary Surgeon confirms the order, he may cause notice to be served on, the owners, Occupiers or persons in charge of all places in which animals are kept, temporarily or otherwise, within a radius not exceeding one mile from the infected place, declaring such places to be infected places.

The Veterinary Surgeon shall forthwith report his action under this sub-section to the prescribed authority.

(4) If the Veterinary Surgeon cancels the order, the place specified in such order 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.

12. (1) If the Veterinary Surgeon has reason to believe that any infective animal is or has been kept in any place owned, controlled, or managed, by any local authority or railway administration where animals are kept temporarily for purposes of sale, exhibition or transit, he may by order in writing declare such place to be an infected place.

(2) The Veterinary Surgeon shall.

(a) cause a copy of the order passed by him under sub-section (1) in the language of the locality, to be exhibited prominently in the infected place :

(b) cause a copy of such order to be delivered at the office of the local authority or to the nearest station-master of the railway administration, as the case may be :

(c) cause another copy to be sent to the nearest police station and

(d) forthwith report his action to the prescribed authority.

13. (1) On receipt of the report of the Veterinary Surgeon under Sub-Section (3) of the Section. II or under Sub-Section (2) of section.12, the prescribed authority shall after making

such further inquiry, if any, as it thinks fit, submit such report with its remarks thereon, if any, to the State Government who may.

(a) Confirm any declaration made under Section 11(1),11(3) or 12(1) either with or without modifications:

(2)(b) Cancel any such declaration.

2. (a) Where the State Government confirm any such declaration with or without modifications, a notification shall be published in the Fort St.George Gazette defining the limits of the area to which the declaration with the modifications, if any, made therein, shall apply and declaring such area to be an infected area.

(b) On the publication of a notification under clauses (a), any place declared by the Inspector or Veterinary Surgeon to be an infected place and not included in the infected area as defined in such notification 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.

(c) The Inspector shall cause to be exhibited in some prominent place in the infected area and in the language of the area, a copy of the notification under clause (a)

(d) The (State) Government may by notification published in the Fort St.George Gazette add to, amend, vary or rescind any notification published under clause (a) either on their own motion or on a subsequent report of the Veterinary Surgeon submitted through the prescribed authority. The Inspector shall cause to be exhibited in some prominent place in the infected area of a copy of every such notification in the language of the area.

(3) Where the (State) Government cancel any declaration referred to in sub-section(1), the place specified in such declaration shall cease to be an infected place and the Inspector shall give notice accordingly to all persons to whom copies of such declaration were delivered or on whom notices of such declaration were served.

14. (1) Where any area or place has been declared to be an infected area or place under the foregoing provisions of this Act no person shall, while such declaration remains in force, remove any animal, alive or dead, or any product of an animal, or any part of an animal, or any fodder, bedding or other thing used in connection with an animal, save in accordance with the condition of a licence granted by the Inspector.

(2) Nothing in sub-section (1) shall prevent the carriage by railway of any animal or thing referred to in that sub-section through an infected area or place:

Provided that where any such animal or thing while in transit through an infected area or place is unloaded therein, it shall not be removed there from save in accordance with sub-section (1)

15. Where any animal or thing is removed from an infected area or place otherwise that in accordance with a licence granted under Section. 14 any Inspector or Police Officer may require the owner or person in charge of such animal or thing to return it to such area or place.

Provided that nothing in this section shall affect the powers of an Inspector under Section.8 to deal with infective animals.

16. Subject to such rules as may be prescribed, an Inspector may enter and inspect any land, building or other place of any vessel or vehicle, for the purpose of exercising the powers or performing the duties conferred or imposed on him by or under this Act.

17. (1) Where by any notice, requisition or order under this Act or under any notification or rule issued thereunder any person is required to take any measures or to do anything 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.

(2) If such measures are not taken or such thing is not done within the time so specified, the authority issuing the notice, requisition or order may cause the measures to be taken or the thing to be done at the expense of the person concerned.

18. Where any action is taken under Section.17 or any other provision of the Act or any notification or rules issued there under in respect of any property at the expense of any person, the authority taking such action shall draw up a certificate stating the amount of the expenses incurred and the person from whom such amount is recoverable, and the amount specified shall be recoverable from such person as if it were an arrear of land revenue due by him.

19. Whoever

(a) fails to comply with or contravenes the terms of any notification issued under Section.5 or

(b) fails to report that an animal is infective as required by Section.6 or

(c) fails to comply with an order made by an Inspector under Sub-Section (1) or Section.8 or.

(d) being a common carrier, fails to cleanse or disinfect any vessel or vehicle used for the transport of animals in such manner as may be required under Sub-Section (1) or Sub-Section(2) of Section.9 or.

(e) fails to comply with an order made by a Veterinary Surgeon under Section. 10 or,

(f) removes any animal or thing from any infected area or place in contravention of section. 14.

shall be punished with fine which may extend to fifty rupees in the case of a first conviction and to one hundred rupees in the case of a second or subsequent conviction whether under the same or any other clause of this section.

20. Whoever keeps or grazes in or on any forest, open field, roadside, or other enclosed land, to which other persons have a right of access for their animals any animal which he knows to be infective shall be punished with fine which may extend in the case of a first conviction to fifty rupees and in the case of a second or subsequent conviction to one hundred rupees.

21. Whoever brings or attempts to bring into any market, fair, exhibition or other concentration of animals, any animal which he knows to be infective shall be punished with fine which may extend in the case of a first conviction to fifty rupees and in the case of a second or subsequent conviction to one hundred rupees.

22. Whoever places, or causes or permits to be placed, in any river, canal, or other water, or in the sea within such distance from the shore as may be prescribed, the carcass or part of the carcass of any animal which at the time of its death was infective or which was destroyed as being infective or suspected of being infective, shall be punished in the case of a first conviction with imprisonment for a term which may extend to six months or with fine which may extend to one hundred rupees or with both and in the case of a second or subsequent conviction with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

23. Whoever, without lawful authority, disinters or causes to be disinterred the carcass or part of the carcass of any animal which at the time of its death was infective or which was destroyed as being infective shall be punished with fine which may extend in the case of first conviction to fifty rupees and in the case of a second or subsequent conviction to one hundred rupees.

24. Any police officer not below the rank of sub-Inspector may without an order from a Magistrate and without a warrant, arrest any person of this Act relating to infective animals or to infected areas or places declared to be such under this Act.

25. No Magistrate shall take cognizance of any offence under this Act except upon the complaint or report of a Veterinary Surgeon.

26. No Magistrate shall try any offence under this Act unless he is a presidency Magistrate, a Magistrate of the first class, or a Magistrate of the second class specially empowered in this behalf by the (State) Government.

27. No person shall be entitled to any compensation in respect of the destruction of any animal or thing or of any other loss, injury, detriment or inconvenience caused to him by reason of anything done under this Act in good faith.

28. (1) No suit, prosecution or other proceeding shall lie against any officer or servant of the (State) Government for any act done or purporting to be done under this Act, without the previous sanction of the (State) Government.

(2) No officer or servant of the (State) Government shall be liable in respect of any such any civil or criminal proceeding if the act as done in good faith in the course of the execution of duties or the discharge of functions imposed by or under this Act.

29. No suit shall be instituted against the (Government) and no suit, prosecution or other proceeding shall be instituted against any officer or servant of the (State) Government in respect of any act done or purporting to be done under this Act, unless the suit, prosecution or other proceeding is instituted within six months from the date of the act complained of.

30. (1) The (State) Government may make rules to carry out the purposes of this Act

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,

(a) the tests to be applied to animals suspected of being infective:

(b) the isolation or segregation, dentition, treatment (curative and preventive) and destruction or disposal otherwise of animal which are infective or suspected of being infective and the destruction or disposal otherwise of the products of such animals, of their carcasses and of the fodder: bedding or other things used in connection with them.

(c) the manner in which animals and things seized under this Act and not liable to destruction shall be dealt with and dis.....

(d) the disinfection of vessels or vehicles used by common carries, the cleansing and disinfection of buildings, yards other places used for animals and the destruction of infected matter or things found therein or hear thereto:

(e) the circumstances under which licences may be granted by an Inspector under Section. 14 and the form and conditions of such licence.

(f) the determination of the persons from whom any expenses incurred in connection with the enforcement of this Act shall be recovered:.

(g) the expenses to be allowed in certificates drawn up under Section.18

(h) the powers and functions and the procedure of Inspectors and Veterinary Surgeons:

(i) the manner in which any report or notice under this Act shall be made or given: and

(j) all other matters expressly required or allowed by this Act to be prescribed.

(3) In making a rule under Sub-Section(1) or Sub-Section(2), the (State) Government may provide that breach there of shall be punishable with fine which may extend in the case of a first conviction to fifty rupees and in the case of second or subsequent conviction to one hundred rupees.

(4) The power to make rules conferred by this section shall be subject to the condition of the rules being after previous publication for a period of not less than month.

(5) All rules made under this section shall be published in the Fort.St.George Gazette, and upon such publication shall have effect as if enacted in this Act.

16. INDIAN PENAL CODE

(Certain Relevant Sections related to Animal Husbandry Department)

Section.44

The word "injury" denotes any harm whatever illegally caused to any person, in body, mind, reputation or property.

Section.47

The word "animal" denotes any living creature, other than Human being.

Section.51

The word "Oath" includes a solemn affirmation substituted by law for an oath, and any declaration required or authorised by law to be made before a public servant or to be sued for the purpose of proof, whether in a court of justice or not.

Section.52

Nothing is said to be done or believed in "good faith" which is done or believed without due care and attention.

Section. 53

The punishments to which offenders are liable under the provisions of this code are.

First ----- Death

Secondly----- Transportation.

Thirdly ----- (the words " Penal Servitude" were omitted by Act. XVII of 1949.S.2(1)

Fourthly----- Imprisonment which is of two descriptions, namely:-

1. Rigorous, that is, with hard labour.
2. Simple.

Fifthly ----- Forfeiture of property.

Sixthly --- Fine.

Section. 80

Nothing is an offence which is done by accident or misfortune, and without any criminal intention or knowledge in the doing of a lawful act in a lawful manner by lawful means and with proper care and caution.

Section.81

Nothing is an offence merely by reason of its being done with the knowledge that it is likely to cause harm if it be done without any criminal intention to cause harm and in good faith for the purpose of preventing or avoiding other harm to person or property.

Section.172.

Whoever absconds in order to avoid being served with summons, notice or order proceeding from any public servant legally competent, as such public servant to issue such summons, notice or order, shall be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees, or with both. or, if the summons or notice or order is attained in person or by agent, or to produce a document in a Court of Justice, with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees or with both.

Section. 173

Whoever in any manner intentionally prevents the serving on himself, or on any other person, of any summons notice or order proceeding from any public servant, to issue such summons, notice or orders, or intentionally prevents the lawful affixing to any place of any such summons notice or order, or intentionally removed any such summons, notice or order from any place to which it is lawfully affixed or intentionally prevent the lawful making of any proclamation, under the authority of any public servant legally competent, as such public servant, to direct such proclamation to be made, shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both: or, if the summons, notice order or proclamation is to attend in person or by agent, or to produce a document in a court of justice, with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Section.178

Whoever refused to bind himself by an oath or affirmation to state the truth, when required so to bind himself by a public servant legally competent to require that he shall so bind himself, shall be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both. Express provision of law to state the truth, or being bound by law to make a declaration upon any subject, makes any statement which is false, and which he either knows or believes to be false or does not believe to be true is said to give false evidence.

Section. 192

Whoever causes any circumstances to exist to make any false entry in any book or record, or makes any document containing a false statement, intending that such circumstance, false entry or false statement may appear in a proceeding taken by law before a public servant as such, or before an arbitrator, and that such circumstance, false entry or false statement, so appearing in evidence, may cause any person who in such proceeding is to form an opinion upon the evidence, to entertain an erroneous opinion touching any point material to the result of such proceeding is "to fabricate false evidence"

Section. 193

Whoever intentionally gives false evidence in any stage of a judicial proceeding shall be punished with or fabricated false evidence for the purpose of being used in any state of a judicial proceeding shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine:

and whoever intentionally gives or fabricate false evidence in any other case, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

Section. 197

Whoever issues or signs any certificate required by law to be given or signed, or relating to any fact of which such certificate is by law admissible in evidence, knowing or believing that such certificate is false in any material point shall be punished in the same manner as if he gave false evidence.

Section.204

Whoever secretes or destroys any document which he may be lawfully compelled to produce as evidence in a court of justice, or in any proceeding lawfully held before a public servant, as such or obliterates or renders illegible the whole or any part of such court of public servant as aforesaid, or after he shall have been lawfully summoned or required to produce the same for that purpose, shall be punished with imprisonment of either description for a term which may extend to 2 years, or with fine, or with both.

Section.269

Whoever unlawfully or negligently done any act which is, and which he knows or has reason to believe, to be, likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

Section.270

Whoever malignantly does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Section.271

Whoever knowingly disobeys any rule made and promulgated by the Government for putting any vessel into a state of quarantine or for regulating the intercourse between places where an infectious disease prevails and other places, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

Section.273

Whoever sells, or officers or exposes for sale, as food or drink, any article which has been rendered or has become noxious, or is in a state unfit for food or drink, knowing or having reason to believe that the same is noxious as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, which may extend to one thousand rupees, or with both.

Section.274

Whoever adulterates any drug or medical preparation in such a manner as to lessen the efficacy or change the operation of such drug or medical preparation, or to make it noxious, intending that it shall be sold or used for, or knowing it to be likely that it will be sold or used for, any medicinal purpose, as if it had not undergone with adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Section.275

Whoever, knowing any drug or medical preparation to have been adulterated in such a manner as to lessen its efficacy to change its operation, or to make it noxious, sells the same, or offers or exposes it for sale, or issues it from any dispensary for medicinal purposes as unadulterated, or causes it to be used for medicinal purposes as unadulterated, or causes to be used for medicinal purposes by any person not knowing of the adulteration, shall be punished with imprisonment of either description for a term which may extend to six months or with fine which may extend to one thousand rupees, or with both.

Section.276

Whoever knowingly sells, or offers or exposes for sale or issues from a dispensary for medicinal purposes, any drug or medical preparation shall be punished with imprisonment of

either description for a term which may extend to 6 months or with a fine extended one thousand rupees or with both.

Section.284

Whoever does, with any poisonous substance, any act in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any person, or

Knowingly or negligently omits to take such order with any poisonous substance in his possession as is sufficient to guard against probable danger to human life from such poisonous substance.

Shall be punished with imprisonment of either description for a term which may extend to six months or with fine, which may extend to one thousand rupees, or with both.

Section.289

Whoever knowingly or negligently omits to take such order with any animal in his possession as is sufficient to guard against any probably danger to human life, or any probable danger or of grievous hurt from such animal, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Section.304

Whoever causes the death of any person by doing any rash or negligent act not amounting to capable homicide shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Section.326

Whoever, except in the case provided for by Section.335, voluntarily causes grievous hurt by means of any instrument which, used as a weapon of offence, is likely to cause death, or by means of poison or any corrosive substance or by means of any substance which it is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with transportation for life or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Section.377

Whoever voluntarily has carnal intercourse against order of nature with any man, woman, or animal shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Explanation:

Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

Section.415

Whoever, by deceiving any person, fraudulently or dishonestly induces the person so deceived to deliver any property to any person, or to consent that any person shall retain any property, or to consent that any so deceived to do anything which he would not do or omit if he were not so deceived, and which act or omission cause or is likely to cause damage or harm to that person in body, mind, reputation or property, is said to "Cheat"

Section.427

Whoever commits mischief and thereby causes loss or damage to the amount of fifty rupees or upwards, shall be punished with imprisonment of either description which may extend to two years, or with fine, or with both.

Section.428

Whoever commits mischief by killing, maiming or rendering useless, any animal or animals of the value of ten rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Section.429

Whoever commits mischief by killing, poisoning, maiming or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof, or any other animal of the value of fifty rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

Comment

This Section provides for enhanced punishment owing to the greater value of the animals mentioned therein.

1. "Horse": - The word "Horse" include a Mare.
2. "Bull" :- Cow or Ox :- According to the Madras High Court a calf does not come within the terms bull, "Cow" or Ox but the Calcutta High Court has held that the words "Bull"

and "Cow" in this section include the young of those animals. The section specifies the more valuable of the domestic animals, without any regard to age : but in respect of other kinds of animals not so specified the section will not apply unless the particular animal in question is shown to be of the value of fifty rupees or upwards. Bull set at large according to religious usage: - such a bull is not the subject of ownership by any person, as the original owner surrenders all his rights as its proprietor and gives it freedom to go wither so ever it chooses. It is therefore nullius proprietas, and such, cannot be the subject of mischief. But if there is not a total abandonment of control and property, the animal would ot choose to be the private property of the owner. There is also a material distinction in principle between the case of an animal, property in which is wholly renounced or abandoned and allowed in accordance with superstitious or religious usage to roam at large free from control, and that of such an animal so abandoned and at large agyer dedication to a temple.

Section.430

Whoever commits mischief by doing any act which causes, or which he knows to be likely to cause, a diminution of the supply of water for agricultural purposes, or for food or drink for human beings or for animals which are property, or for cleanliness or for carrying on any manufacture, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.