

## **THE PREVENTION AND CONTROL OF INFECTIOUS AND CONTAGIOUS DISEASES IN ANIMAL ACT, 2009**

This Act was enacted by the Parliament and published in Gazette of India, Extraordinary, dated 20<sup>th</sup> March 2009. The provisions of the Act have come into force from 25<sup>th</sup> August, 2009 in all the states and Union Territories (except Uttar Pradesh) (Gazette of India, Extraordinary, dated 24<sup>th</sup> August 2009).

Purpose of the Act is to provide prevention, control and eradication of infectious diseases and contagious diseases affecting animals for prevention of outbreak or spreading of such diseases from one state to another and to meet the international obligations of India facilitating import and export of animals and animal products and for matters connected there with or incidental thereto.

### **SALIENT FEATURES OF THE ACT**

#### **Reporting**

- Reporting of scheduled diseases is obligatory for the owner/person in-charge of animal. He shall report the incidence of disease to local village administration. The village administration should report to the nearest veterinarian. Upon receipt of report, the veterinarian shall visit the area.
- The Director of the state should intimate the incidence of the disease to the Directors of other states in the immediate neighbourhood for taking appropriate preventive measures against the spread of the disease

#### **Segregation of infected Animals**

- The owner of the animal shall segregate the infected animals and keep in place away from all other healthy animals. The owner shall confine the animal and prevent it from grazing in common place or drink water from common source.

#### **Disease Control Areas:**

- The State Government with the object of preventing, controlling or eradicating any scheduled disease by notification declare any area to be controlled area. The same shall be published in local newspaper and by declaration in loud voice in the area.

#### **Compulsory Vaccination of all Animals:**

- All animals of the species in the controlled area shall be subjected to compulsory vaccination against the disease and be subjected to measures against the disease. It shall be obligatory on part of the owner to get the animal compulsorily vaccinated.

#### **Identification of Animals:**

- The animals should marked for identification and verification of vaccination

#### **Restriction of Movement of Animals:**

- The animal belonging to that species shall not be moved from the place where it is kept unless accompanied by a valid certificate of vaccination or for purpose of vaccination.

**Issuing Vaccination certificate:**

- The authority issuing a certificate of vaccination shall specify the date of vaccination, dates of manufacture and expiry of the vaccine and the date up to which the vaccination of the animal with the particular vaccine shall be valid.

**Markets, fairs, shandies & exhibition of animals:**

- No person, organisation or institution shall hold any animal market, animal fair, animal exhibition and carry on any other activity which involves grouping or gathering of any species of animals within a controlled area.
- No person shall bring or attempt to bring into market, fair, exhibition or other congregation of animals or to any public place, any animal which is known to be infected with a scheduled disease

**Disease Free Areas:**

- If in the controlled area, any of the scheduled diseases affecting is no longer prevalent, the government may declare the area to be a free area in respect of that disease.
- No animal of the species or of any other susceptible species with regard to which it is a free area shall be allowed to enter the free area unless duly immunized by vaccination against that particular disease

**Quarantine Camps and Check Posts**

- The Director may establish as many Quarantine Camps and Check Posts within the State as may be required

**Inspections**

- Any Veterinary Officer or other Competent Officer may enter upon and inspect any land or building or place, vessel or vehicle, for the purpose of ensuring compliance of the provisions of this Act or the rules or orders

**Infected Areas:**

- The Veterinary Officer is satisfied that an animal has been infected with any scheduled disease may by notification and publication in at least one local newspaper in the vernacular language and by declaration in loud voice and by beating drums, declare such area to be an infected area.

**Treatment of Infected animals:**

- The owner or other person in-charge of the animal, shall forthwith get it treated by a Veterinarian.

**Disposal of Articles:**

- All articles, which are likely to have come into contact with any animal shall be treated or disposed of in such a manner as the Veterinarian may direct.

**Power of Inspection:**

- Every Veterinarian shall, for the purpose of inspection, have the power to enter any place or premises where any animal is kept.

**Isolation of Infected animals:**

- The owner shall keep the animal in isolation forthwith, and also take such other measures as may be necessary for the prevention, treatment and control of the disease as the Veterinarian may direct.

**Sample Collection:**

- The Veterinary Officer considers may draw samples as may be required from the animal for the purpose of carrying out necessary investigations. He shall draw samples from any animal for the purposes of ascertaining whether the animal has been vaccinated against any disease, or whether the vaccination of the animal has been effective in conferring it immunity and have the samples examined.

**Euthanasia of infected animals:**

- The Veterinary Officer deems it necessary that an animal, which is infected with a scheduled disease, euthanasia has to be resorted to, for preventing the spread of the disease to other animals in the area or to protect public health if the disease is of zoonotic importance, he may by an order in writing, direct euthanasia of the animal and the carcass disposed of immediately to his satisfaction.

**Post mortem:**

- The Veterinary Officer has reason to believe that the death of an animal has been caused by an infection of any scheduled disease, he may make or cause to be made a post-mortem examination of the animal and for that purpose he may cause the carcass of any such animal to be exhumed where required followed by proper disposal after necessary examination and post-mortem and the report of post-mortem shall be prescribed form.

**Disposal of carcass:**

- Every person in possession of carcass died due to infection with any scheduled disease or was suspected to have been infected, shall dispose it of by burring or incineration.

**Declaration of area is no longer infected:**

- The Veterinary Officer, after such enquiry as he may deem fit, is satisfied that there is no longer the threat or danger of any animal being infected with the scheduled disease in any infected area, by notification and publication in a local newspaper in vernacular language, declare that the area is no longer an infected area as aforesaid, whereupon all the restrictions shall cease to apply.

## **ENFORCEMENT:**

- The owner of the animal shall comply with any rule/notification/notice/requisition/order/direction under this Act. In case of any stray or ownerless animal, carcass of such animal the same shall be promptly complied with by the Municipality or Panchayat, as the case may be, at its cost.
- **Recovery of Costs:** The costs of any measures taken shall be recoverable from the person or the Municipality or Panchayat, as the case may be, concerned in the manner provided by the Code of Criminal Procedure, 1973, for the recovery of fines imposed by a Court, as if such costs were a fine imposed by a Court.
- All Municipal, Panchayat or Village Officers and all officers of the rural and dairy development, revenue, agriculture, animal husbandry and veterinary departments of the State Government, shall be bound—
  - (a) to give immediate information to the Veterinary Officer and to the Veterinarian having jurisdiction in the area regarding the prevalence of a scheduled disease amongst any animal or species of animals, in the area;
  - (b) to take all necessary measures to prevent the outbreak or spread of any scheduled disease; and
  - (c) to assist the Veterinary Officer and the Veterinarian in the discharge of their duties or in the exercise of their powers under this Act.

## **PENALTIES:**

- **Unauthorised issue of vaccination certificate / use of defective vaccine:** If any person issues a vaccination certificate without authority or competence in that behalf, or administering the vaccine which is known to be defective in any manner, he shall be guilty of an offence punishable with a fine of five thousand rupees or in case of non-payment of fine with imprisonment which may extend to one month.
- Any person who contravenes the provisions of this Act or obstructs the Competent Officer in performing his duties shall be guilty of an offence punishable with fine which may extend to one thousand rupees, and in case of failure to pay the penalty with imprisonment for a term which may extend to one month.
- Whoever places or causes or permits to be placed in any river, lake, canal or any other water body, the carcass or any part of the carcass of any animal which at the time of its death was known to be infected, shall be guilty of an offence and, on conviction, be punished, in the case of a first offence with fine of two thousand rupees or with imprisonment of one month in case of non-payment of fine.
- Where an offence under this Act has been committed by a company, person in-charge of company shall be deemed to be guilty of the offence and shall be liable to be proceeded and punished accordingly and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of director / manager /secretary or other officer of the company, the person shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

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