

The Cattle Trespass (Assam Amendment) Act, 2002

ASSAM

India

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Act 15 of 2002

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The Cattle Trespass (Assam Amendment) Act, 2002 (Assam Act No. 15 of 2002) Last Updated 10th February, 2020 (Received the assent of the Governor on 13th November, 2002) An Act further to amend the Cattle Trespass Act, 1871, in its application to the State of Assam Preamble. - Whereas it is expedient further to amend the Cattle Trespass Act, 1871 (Act I of 1871), hereinafter referred to as the principal Act, in its application to the State of Assam, in the manner hereinafter appearing; It is hereby enacted in the Fifty-third Year of the Republic of India as follows:-

1. Short title, extent and commencement.

(1) This Act may be called the Cattle Trespass (Assam Amendment) Act, 2002. (2) It shall extend to the whole of Assam. (3) It shall come into force at once.

2. Substitution of Section 26.

- In the principal Act, for Section 26, the following section shall be substituted, namely :- "26. Penalty for damage caused to land or crops or public roads or for injury caused to any person by cattle or for cattle on public roads. -(1) Any owner or keeper or attendant of cattle who through neglect or criminal motive or otherwise damages or causes or permits to be damaged any land or any crop or produce of land or any public road or anything or causes injury to any person or persons by allowing such cattle to trespass thereon, or lets loose any cattle to stray on any public road and thereby causes obstruction to traffic shall, on conviction before a judicial Magistrate, be punishable with fine which shall not be less than five hundred rupees but which may extend to one thousand rupees and in default of payment of fine, simple imprisonment for a term not exceeding one month for the first offence and for the subsequent offences, fine not less than one thousand rupees but which may extend to two thousand rupees or to simple imprisonment for a term which may extend to three months. (2) While convicting such person under sub-section (1), the Magistrate may order him to pay the person whose land, or crop or produce of land or anything has been damaged or the person who is injured, such compensation depending upon the value of the loss or expenses so

incurred for the medical treatment, as may be considered reasonable and in default of payment, the cattle in respect of which the offence has been committed shall be forfeited and sold on auction in order to compensate the person so aggrieved."

3. Insertion of Section 26-A.

- In the principal Act, after Section 26, the following new Section 26-A shall be inserted namely :- "26A. Cognizance of offence. - No Court shall take cognizance of any offence punishable under Section 26 except on a report in writing of the facts constituting such offence made by the person aggrieved by such offence or by person who is a public servant as defined in Section 21 of the Indian Penal Code, 1860 (Act 45 of 1860).