

The Cattle Trespass (Punjab Amendment) Act, 1959

PUNJAB

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Act 18 of 1959

- Published on 29 April 1959
- Commenced on 29 April 1959
- [This is the version of this document from 29 April 1959.]
- [Note: The original publication document is not available and this content could not be verified.]

The Cattle Trespass (Punjab Amendment) Act, 1959 Punjab Act 18 of 1959 Statement of Objects and Reasons. - Section 14 of the Cattle Trespass Act, 1871, provides a total period of 14 days of detention of impounded cattle from the date of its detention till the date of its disposal by auction or otherwise. In actual working of this Act, it has been observed that this total period of 14 days is too long to be effective for the reasons that usually the pound-keepers do not accept cattle as expenses on their maintainance for such a long period of 14 days are much more than the price fetched by them at auctions and this results in great damage to crops and parks and to fodder that should normally go to the cattle maintained by the people in their own houses. The increase in fine and the scale of feeding have a good effect, but only for the cattle, which is claimed by its owner. However, the greater majority of the stray cattle which is not accepted by the pound-keeper is ownerless or their owners do not turn up to claim the animals. It is, therefore, considered to be high time that the provisions of the Cattle Trespass Act, which was enacted in 1871, were made more effective than they have proved to be. It is proposed to reduce the total period of 14 days to an overall period of seven days." (Punjab Government Gazette Extraordinary, dated the 16 February 1959) Received the assent of the Governor of Punjab on the 29th April, 1959 and was first published in the Punjab Government Gazette Extraordinary, dated the 30th April, 1959. An Act to amend the Cattle Trespass Act, 1871, in its application to the State of Punjab Be it enacted by the Legislature of the State of Punjab in the Tenth Year of the Republic of India as follows:

1. Short title

. - This Act may be called the Cattle Trespass (Punjab Amendment) Act. 1959.

2. Amendment of section 14 of Central Act I of 1871.

- In section 14 of the Cattle Trespass Act, 1871, in its application to the State of Punjab (hereinafter referred to as the principal Act), for the word "seven" where it occurs for the first time, the word "three" and where it occurs for the second time, the word "four" shall be substituted.

3. Insertion of new section 14-A, in Central Act 1 of 1871.

- After section 14 of the principle Act, the following section shall be inserted, namely:-"14A. Procedure for speedy disposal of unclaimed cattle. - Notwithstanding anything contained in section 14, where any unattached calf, kid or lamb or any decrepit, weak or maimed cattle is impounded, the pound-keeper shall report the fact to the officer specified in that section within twenty-four hours of the impounding and such officer shall, within twenty-four hours of such report and if such unattached calf, kid or lamb or cattle has not been claimed within twenty-four hours of its impounding cause them to be disposed of by auction or otherwise after a proclamation of its disposal has been made by beat of drum in the village and at market place nearest to the place of seizure and in such other manner as may be prescribed:Provided that if in the opinion of the Magistrate of the District the disposal of any such unattached calf, kid or lamb or cattle is not likely to fetch a fair price he may send such other cattle to any Gosadan or pinjrapole.Explanation. - For the purposes of this section the expression -(a)"Gosadan" or "Pinjrapole" means a place or an institution where old, decrepit, wounded or otherwise non-productive or useless cattle are kept for the purpose of maintenance and not for any commercial purpose, whether such place or institution is managed by Government or by a private society or person; and(b)"unattached calf, kid or lamb" means a calf, kid or lamb not attached to its mother."