

The Glanders and Farcy and Dourine Acts (Extension) Act, 1960

MAHARASHTRA

India

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Act 34 of 1960

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The Glanders and Farcy and Dourine Acts (Extension) Act, 1960(Maharashtra Act No. 34 of 1960)Statement of Objects and Reasons. - The Glanders and Farcy Act, 1899, and the Dourine Act, 1910, which provide for preventing the spread of glanders or farcy or any other dangerous disease notified by the State Government, and spread of Dourine respectively among horses, extend to the Bombay and Vidarbha areas of the State. In Marathwada region the Hyderabad Surrah, Glanders Farcy and Epizootic Lymphangitis Prevention Act (Hyderabad Act No. 1 of 1388F.) was in force. It was, therefore, proposed to extend the Glanders and Farcy Act, 1899 and the Dourine Act, 1910, to the Marathwada region of the State and to repeal the corresponding law prevailing in that area so as to bring about uniformity of law among all the regions of the State.[Dated 30th December, 1960]For Statement of Objects and Reasons, see Maharashtra Government Gazette, 1960, Part V, page 162.An Act to extend the Glanders and Farcy Act, 1899, and the Dourine Act, 1910, throughout the State of Maharashtra.Whereas it is expedient to extend the Glanders and Farcy Act, 1899, and the Dourine Act, 1910, as in force in the Bombay and Vidarbha areas of the State of Maharashtra, to the rest of that State; It is hereby enacted in the Eleventh Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the Glanders and Farcy and Dourine Acts (Extension) Act, 1960.

2. Extension of Acts 13 of 1899 and 5 of 1910 to rest of State of Maharashtra.

- Each of the following Acts, that is to say, -(a)the Glanders and Farcy Act, 1899, and(b)the Dourine Act, 1910, as in force immediately before the commencement of this Act in the Bombay and Vidarbha areas of the State of Maharashtra, is hereby extended to the rest of that State.

3. Amendment of sections 1 and 14 of Act 13 of 1899.

- In the Glanders and Farcy Act, 1899, as extended by section 2,-(a)in section 1, in sub-section (2), after the words and letter "Part B States" the words "other than the Hyderabad area of the State of Maharashtra" shall be added;(b)in section 14,-(i)in sub-section (1), for the words "may make rules" the words "may, by notification in the Official Gazette, make rules" shall be substituted;(ii)for sub-section (3), the following shall be substituted, namely :-(3) All rules made under this section shall be laid for not less than thirty days before each House of the State Legislature as soon as possible after they are made, and shall be subject to such modifications as the State Legislature may make, during the session in which they are so laid or the session immediately following, and publish in the Official Gazette."

4. Amendment of sections 1 and 14 of Act 5 of 1910.

- In the Dourine Act, 1910, as extended by section 2,-(a)in section 1, in sub-section (2), after the words and letter "Part B States" the words "other than the Hyderabad area of the State of Maharashtra" shall be inserted;(b)in section 14,-(i)in sub-section (1), for the words "may make rules" the words "may, by notification in the Official Gazette, make rules" shall be substituted;(ii)for sub-section (3), the following shall be substituted, namely :-(3) All rules made under this section shall be laid for not less than thirty days before each House of the State Legislature as soon as possible after they are made, and shall be subject to such modifications as the State Legislature may make, during the session in which they are so laid or the session immediately following, and publish in the Official Gazette".

5. Repeal of Hyderabad Act I of 1338F.

- The Hyderabad Surrah, Glanders, Farcy and Epizootic Lymphangitis Prevention Act is hereby repealed :Provided that, such repeal shall not affect -(a)the previous operation of the Act so repealed, or anything duly done or suffered thereunder; or(b)any right, obligation or liability acquired or incurred under the Act so repealed; or(c)any penalty or punishment incurred in respect of any offence committed against the Act so repealed; or(d)any investigation, legal proceeding or remedy in respect of any such right, obligation, liability, penalty or punishment as aforesaid;and any such investigation, proceeding or remedy may be instituted, continued or enforced and any such penalty or punishment may be imposed, as if this Act had not been passed ;Provided further that, subject to the preceding proviso, anything done or any action taken (including orders or rules made) under the Act so repealed shall, in so far as it is not inconsistent with the provisions of the Glanders and Farcy Act, 1899, be deemed to have been done or taken under the corresponding provisions of that Act, and shall continue in force accordingly unless and until superseded by anything done or any action taken under that Act. NotificationsThe Dourine Act, 1910 (V of 1910)Amended by G. N., R. D., No. 9340/33(a), dated 18th February, 1939G. N., R. D., No. 14284-A. dated 5th December, 1910 (B. G., Part I, page 3001) - In exercise of the powers conferred by sub-section (2) of section 1 of the Doctrine Act, 1910 (V of 1910), the Governor in Council is pleased to direct that the said Act shall extend to the whole of the State of Bombay.Amended by G. N., R. D., No. 9340/33(b), dated 8th February, 1939G. N., R. D., No. 14284-B, dated 5th December, 1919 (B. G., Part I, page 3001) - In

exercise of the powers conferred by sub-section (1) of section 4 of the Dourine Act, 1910 (V of 1910), the Governor in Council is pleased to appoint the officers specified below to be veterinary practitioners under the said Act and to exercise and perform, within the areas specified in each case, the powers conferred and the duties imposed upon veterinary practitioners by the said Act:-

Officers (1)	Areas (2)
1. The Director of Veterinary Services, State of Bombay.	State of Bombay except Bombay City and Harbour and
2. The Deputy Director of Veterinary Services, State of Bombay.	Bandra Municipality.
3. The Principal, Bombay Veterinary College.	
4. Deputy Superintendent Bombay City and Harbour Veterinary Department.	

Amended by G. N., R. D., No. 9340/33(c), dated 8th February, 1939 G. N., R. D., No. 14284-C, dated 5th December, 1919 (B. G., Part I, page 3001) - In exercise of the powers conferred by sub-section (1) of section 4 of the Dourine Act, 1910 (V of 1910), the Governor in Council is pleased to appoint the officers specified below to be inspectors under the said Act and to exercise and perform within the areas specified in each case, the powers conferred and the duties imposed upon inspectors by the said Act :-

Officers (1)	Areas (2)
1. All Veterinary Practitioners notified under the Act	The areas over which their powers as Veterinary practitioner extend.
2. Collectors	
3. Superintendent of Police	
4. Assistant Collectors	
5. District Deputy Collectors	Their respective charges.
6. Assistant Superintendents of Police	
7. Deputy Superintendents of Police	
8. Huzur Deputy Collectors	
9. Treasury Officers	
10. City Magistrates	The headquarters towns in which they are serving.
11. Superintendents of Excise	
12. The Inspectors, Glanders and Farcy Department, Bombay	
13. The Veterinary Inspectors, Subordinate Civil Veterinary Department, State of Bombay	Their respective charges.
14.	

Veterinary Assistant Surgeons, Subordinate
Veterinary Service

Amended by G. N., R. D., No. 9340/33(a), dated 8th February, 1939G. N., R. D., No. 14284-D, dated 5th December, 1912 (B. G., Part I, page 3002) - In exercise of the powers conferred by sub-section (1) of section 11 of the Dourine Act, 1910 (V of 1910), the Governor in Council is pleased to make the following rules for the constitution of Committees for the hearing of appeals from decisions under section 10 of the said Act in the State of Bombay, namely :-

1. The Committee for hearing appeals under section 11 of the Act shall be constituted as follows :-

(a)the Collector of the District;(b)a Veterinary Practitioner appointed under section 4 of the Act or other Veterinary Practitioner nominated by him;(c)one Indian gentleman, not in the employment of Government or of a local authority, to be selected on each occasion by the Collector of the district.

2. Every appeal shall be in writing addressed to the Collector, who on receipt shall fix a date, time and place for the meeting of the Committee to hear the appeal in notice.

Amended by G. N., R. D., No. 9340/33(a), dated 8th February, 1939G. N., R. D., No. 14284-E, dated 5th December, 1919 (B. G., Part I, page 3002) - In exercise of the powers conferred by section 14 of the Dourine Act, 1910 (Volume 1910), the Governor in Council is pleased to make the following rules for the purpose of carrying into effect the provisions of the said Act in the State of Bombay, namely :-

1. The owner or the person in charge of a horse which he believes, or has reason to believe, to be deceased shall report the case immediately to the Inspector.

2. Searches shall, where possible, be made in the presence of the owner or person in charge of the horse and the owner or person incharge of the building, field or other place in which the animal is kept and with all reasonable regard for the convenience of the occupants of the place.

3. No entry or search under section 5 of the Act shall be made between hours of sunset and sunrise.

4. The owner or person in charge of a building, field or other place searched by the Inspector shall give free ingress to the Inspector and shall in every possible way facilitate the inspection.

- 5. If as a result of his search or otherwise, the Inspector finds a horse which in his opinion is affected with dourine, he may, by an order in writing, direct the owner or person in charge to take immediate steps for its isolation at a place to be specified in the order pending examination by a Veterinary Practitioner.**
- 6. The owner or person in charge of a horse examined in accordance with section 7 of the Act shall permit blood or other material to be drawn from it for the purpose of examination.**
- 7. If, in any case, the Veterinary Practitioner is of opinion that repeated examinations are necessary for the purpose of section 8(b) of the Act, or shall be lawful for him to detain the animal concerned in isolation in such place as he may consider suitable, for such length of time as may enable him to come to a decision.**
- 8. Mares affected with dourine may be destroyed under section 8(b)(ii) of the Act with the previous sanction of a Veterinary Practitioner appointed under the Act.**
- 9. In the case of a mare which has been destroyed or of a horse which has died in consequence of castration, the carcass shall be disposed of in such manner as the Veterinary Practitioner may direct.**
- 10. Whoever shall be guilty of a breach of any of the above rules, shall be punishable with a fine which may extend to fifty rupees.**