

Sikkim Stray Dogs and Rabnies Control Act, 2000

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Act 7 of 2000

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Sikkim Stray Dogs and Rabnies Control Act, 2000(Act No.7 of 2000)Last Updated 5th March, 2020[Dated 18.04.2000]An Act to provide for regulating the up-keeping of pet animals and destruction if rabid animals and for the prevention and control of the disease in the interest of the public health and for matters connected and incidental thereto.Be it enacted by the Legislature of Sikkim in the Fifty-first Year of Republic of India as follows: -

1. Short title and commencement.

(1)This act may be called the Sikkim Stray Dogs and Rabies Control act, 2000.(2)It shall extend to the whole of Sikkim.(3)It shall come into force at once.

2. Definitions.

(1)In this Act, unless the context otherwise requires;(a)'animal' means any mammal of species naturally susceptible to rabies, except man;(b)'authority' means the Sikkim Licensing and Registering Authority constituted under section 7.(c)'authorised officer' means an officer appointed by the Department to issue licence under this Act or to carry out any function under this Act as required;(d)'department' means the Department of Animal Husbandry and Veterinary Services.(e)'dog' means an animal belonging to the species (Mammals) Canis familiaris of the order of mammals Carnivora;(f)'exposed to rabies' means a person or an animal being bitten, scratched or licked by or having being other direct physical contact with a rabid dog or a dog/other animals suspected of being affected with rabies;(g)'infected area' means an area which is declared to be an infected area for the purpose connected with the control and elimination of rabies by an order of the Department;(h)'licence ' means a licence granted under this Act and includes any permit, approval or other form of authorization;(i)'local authority' means the members of the public authorized by the Department or the local Panchayat/ local urban bodies of the area concerned;(j)'notification' means a notification published in the Official Gazettee;(k)'owner' means every person who is the sole or part owner of any animal and includes any person who is in-charge

of an animal, and the occupier of the premises on which any animal is found shall be deemed to be the owner of such animals until the contrary is proved;(l)'prescribed' means prescribed by rules made under this Act;(m)'state Government ' means the Government of Sikkim;(n)'stray dog' means any dog not kept in compliance with the regulations of rabies control;(o)'vaccination' means the administration of all approved antirabies vaccine to an animal;(p)'veterinary hospital' means an institution or centre by whatever name called where such animals are admitted for treatment;(q)'veterinary officer' means an registered Veterinary Practitioner appointed by the Government to receive information about animals and carcasses affected or suspected of being affected with specified diseases for the area in which the animal or carcass exists.

3. Notice of Rabies or suspected rabies.

- A person who know or suspect that an animal is exposed to rabies or was at the time of its death so affected, shall with all practicable speed, give notice to an officer of the local authority, a health worker or to an officer - in-charge of the respective Police Station, he shall immediately transmit the information received by him in the most expeditious manner in all cases to the Veterinary Officer.

4. Declaration of infected area.

- Where the Department believes or suspects that rabies exists in an area, may by order declare that area together with any adjoining area in to which he considers there maybe a possibility of rabies spreading to be an infected area for the purposes connected with the control and eradication of that disease.

5. Determination or destruction of any dog/exposed to rabies.

(1)The Veterinary Officer shall cause any dog/other animals bearing proof of valid vaccination having registration taken/certificate which has been exposed to rabies, to be revaccinated or to be detained at home, muzzle and leash confinement for 90 days under veterinary surveillance. The dog/other animals must be presented twice a month of the Veterinary Officer.(2)a Veterinary Officer shall cause any stray/dog any other animals which has been exposed.(a)to a dog/any other animals of suspected or unknown rabies status; to be destroyed without payment or any compensation to the owner;(b)to a known rabid dog/any other rabid animals to be destroyed for with under the powers conferred by sub-section (2) of section 5;

6. Vaccination of dogs and other animals in an infected area.

(1)The department may require that all dogs over the age of three months shall be vaccinated against rabies and that the vaccination shall be repeated every twelve months.(2)The vaccination shall be carried out by the Department at such place and as such time with the collaboration of the local authority.(3)All owner shall present their dogs for vaccination, the veterinary officer shall provide the owner with a certificate of vaccination in the form appended to this Act.(4)Any owner not presenting his/her dog or dogs for vaccination shall be guilty of an offence under the Act.

7. Registration and licencing of dogs.

(1) There shall be constituted an authority to be called the Sikkim Licensing and registering authority consisting of the Veterinary officers posted within the state to cause registration of dogs over the age of three months and thereafter annually. (2) The dog owners shall - (a) present the dog on its attaining the age of three months at such time and place as determined by the Department for registration and licensing of dogs; (b) Produce a certificate that the dog had been vaccinated at the period of not more than twelve months; and (c) pay such registration and licensing fee as may be determined by the department by notification. (3) The Licensing and Registering Authority shall - (a) provide the owner with a certificate of registration of the dog; and (b) provide distinguishing token collar as proof of registration. (4) Every adult dog shall be registered and licensed in every twelve months. (5) Any owner not presenting their dog or dogs for annual registration/ licensing shall be guilty of an offence under this Act and shall be liable to a fine or rupees one hundred which may extend to rupees live hundred. (6) The license and the certificate of registration shall be renewed in such manner as may be prescribed. (7) The State Government may, by notification in the Official Gazette - (a) ascertain first vaccination age of dogs; (b) declare time for providing booster dose; (c) prepare annual schedule of registration; (d) postpone registration schedules for want of vaccine stock for unavoidable circumstances.

8. Seizure, detention and disposal of animals not under control.

(1) A veterinary Officer, an Officer of the local authority or Officer in charge of the respective Police Station may, after due notice has been given to the members of the public in the area, seize and detain or destroy any stray dog in the area duly applying the provisions namely: - (a) The local authority shall take all reasonable steps to draw the attention of members of the public in their area in the address or location of any place at which dogs seized under sub section (1) to a period for 3 days unless claimed by or on behalf of its owner within that period; (b) An owner claiming his dog from a place of detention under the provisions of sub section (1) shall be liable to appropriate penalties and fines if it is established that he has committed offences under sub-section (5) of section 7 of the Act; (c) Where a dog seized under this section is not claimed by or on behalf of its owner within the period specified under clause (a) of sub-section (1) of section 8, the local authority may order it to be destroyed and disposed of its carcass; (d) Where circumstances prevent a dog which is liable to be seized under this section from being so seized, it shall be lawful for a Veterinary Officer or an Officer of the local authority or Officer-in-charge of the respective Police Station to destroy the dog without seizing it; (e) The Department shall issue guidelines on the methods to be applied for destruction of stray dogs; (f) A Veterinary Officer of the local authority or Officer-in-charge of the respective Police Station may enter any land for the purpose of seizing and destroying a dog which is liable to be seized under this Act. (g) The local authority will be responsible for the collection and safe disposal of the carcasses of any dog destroyed under this Act.

9. Offences.

- Any person who contravenes any provisions of this Act, rules, notification or directions issued thereunder, shall be punishable with a fine of Rs. 500/- (Rupees five hundred or an imprisonment

for a period of one month or with both.

10. Power to make rules.

(1)The State Government may by notification, make rules to carry out all or any of the purposes of this Act.(2)In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:- (a) Charges to be levied for registration and vaccination. (b) Manner of disposal of carcass and charge of its disposal. (c) Cost of destruction of stray animals affected with rabies.

11. Power to remove difficulties.

- If any difficulty arises in giving effect to the provision of this Act, the State Government may, by general or special order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary or expedient for the removal of the difficulty. Provided that no such order shall be made after the expiration of two years from the commencement of this Act.