

# सरकारी राजपत्र

## OFFICIAL GAZETTE

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन  
U.T. ADMINISTRATION OF DADRA AND NAGAR HAVELI AND  
DAMAN AND DIU

### असाधारण EXTRAORDINARY

प्राधिकरण द्वारा प्रकाशित / PUBLISHED BY AUTHORITY

Daman

1<sup>st</sup> April, 2022 11 Chaitra, 1944 (Saka)

No. : 32

U.T. Administration of Dadra and Nagar Haveli  
and Daman and Diu  
Department of Law and Justice  
Vidyal Bhawan, Nani Daman

### NOTIFICATION

No. LAW/U.T. Merge (4) /Adapt. State Law/2022/76

Dated: 30/03/2022

In exercise of the powers conferred by section 19 of the Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories) Act, 2019 (44 of 2019) and in pursuance of the Dadra and Nagar Haveli and Daman and Diu (Adaptation of Central Law, State Laws and Presidential Regulations) Orders, dated 18<sup>th</sup> January, 2022 a copy of "**The Bombay Animal Preservation Act, 1954 (Bombay Act No. LXXXII of 1954) (as extended to the Union Territory of Dadra & Nagar Haveli and Daman and Diu)**" dated 22/03/2022 is hereby published in the Official Gazette of this Union territory of Dadra and Nagar Haveli and Daman and Diu for implementation and for general information.

Sd/-  
**(Rohit P.Yadav)**  
Secretary Law  
Dadra and Nagar Haveli and  
Daman and Diu

# THE BOMBAY ANIMAL PRESERVATION ACT, 1954

**THE BOMBAY ANIMAL PRESERVATION ACT, 1954 (BOMBAY ACT NO. LXXXII  
OF 1954) AS EXTENDED TO THE UNION TERRITORY OF DADRA AND NAGAR**

**HAVELI<sup>1</sup>[AND DAMAN AND DIU]**

An Act to provide for the preservation of animals suitable for milch, breeding or for agricultural purposes.

Whereas it is expedient to provide for the preservation of animals suitable for milch, breeding or for agricultural purposes; it is hereby enacted in the Fifth Year of the Republic of India as follows:-

1. **Short title and commencement.-** (1) This Act may be called the Bombay Animal Preservation Act, 1954.  
  
(2) It extends to the whole of the Union territory of Dadra and Nagar Haveli<sup>2</sup>[and Daman and Diu].  
  
(3) It shall come into force on such date as the Administrator may, by notification in the Official Gazette, appoint.
  
2. **Application of the Act.-** (1) This Act shall in the first instance apply to the animals specified in the schedule.  
  
(2) The Administrator may, by notification in the Official Gazette, apply the provisions of this Act to any other animal which in his opinion, it is desirable to preserve.
  
3. **Definitions.-** In this Act, unless there is anything repugnant in the subject or context,-

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<sup>1</sup>Inserted the words “Daman and Diu” by the Dadra and Nagar Haveli and Daman and Diu (Adaptation of State Laws) Second Order dated 18<sup>th</sup> January, 2022. herein after referred to as (Adaptations of State Laws) Second Order, 2022.

<sup>2</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

- (1) "Administrator" means the Administrator of the Union territory of Dadra and Nagar Haveli<sup>3</sup> [and Daman and Diu] appointed by the President under article 239 of the constitution;
- (1a) "Animal" means an animal to which this Act applies ;
- (2) "Competent Authority" means a person or body of persons appointed under section 4 to perform the functions of a Competent Authority under this Act;
- (3) "Prescribed" means prescribed by rules made under this Act;
- (4) "Schedule" means a Schedule appended to this Act;
- <sup>4</sup>[(5) "Scheduled animal" means any animal specified in the Schedule; and the State Government may, by notification in the *Official Gazette*, add to the Schedule any species of animals, after considering the necessity for preservation of that species of animals.]

**4. Appointment of Competent Authority.**- The Administrator may, by notification in the Official Gazette, appoint a person or a body of persons to perform the functions of a Competent Authority under this Act, for such local area as may be specified in the notification.

**5. Prohibition against slaughter without certificate from Competent Authority.**- (1) Notwithstanding any law for the time being in force or any usage to the contrary, no person shall slaughter or cause to be slaughtered any animal unless, he has obtained in respect of such animal a certificate in writing from the Competent Authority appointed for the area that the animal is fit for slaughter.

<sup>5</sup>[1A. No certificate under sub-section (1) shall be granted in respect of—

- (a) a cow;
- (b) the calf of a cow, whether male or female and if male, whether castrated or not;
- (c) a heifer;

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<sup>3</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

<sup>4</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

<sup>5</sup>. Substituted for the words "No certificate under sub-section (1) shall be granted in respect of a cow., by the (Adaptations of State Laws) Second Order, 2022

(d) a bull;

(e) a bullock;

(f) an ox;]

(2) In respect of an animal to which sub-section (1A) does not apply, no certificate shall be granted under sub-section (1), if in the opinion of the Competent Authority—

(a) the animal, whether male or female, is useful or likely to become useful for the purpose of draught or any kind of agricultural operations;

(b) the animal, if male, is useful or likely to become useful for the purpose of breeding;

(c) the animal, if female, is useful or likely to become useful for the purpose of giving milk or bearing offspring.

<sup>6</sup>[(3) Nothing in this section shall apply to—

(a) the slaughter of any animal above the age of fifteen years other than a cow, the calf of a cow, a heifer, bull, bullock or ox for such bona fide religious purposes, as may be prescribed.

(b) the slaughter of any animal not being a cow or a calf of a cow, a heifer, bull, bullock or ox, on such religious days as may be prescribed:

Provided that a certificate in writing for the slaughter referred to in clause (a) or (b) has been obtained from the competent authority.]

(4) The Administrator may, at any time for the purpose of satisfying himself as to the legality or propriety of any order passed by the Competent Authority granting or refusing to grant any certificate under this section, call for and examine the records of the case and may pass such order in reference thereto as he thinks fit.

(5) A certificate under this section shall be granted in such form and on payment of such fees as may be prescribed.

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<sup>6</sup>Substituted for the words “Nothing in this section shall apply to the slaughter of any animal above the age of fifteen years for bona fide religious purposes, if such animal is not a cow:

Provided that a certificate in writing has been obtained from the Competent Authority”, by the (Adaptations of State Laws) Second Order, 2022

(6) Subject to the provision of sub-section (4) any order passed by the Competent Authority granting or refusing to grant a certificate, and any order passed by the Administrator under sub-section (4) shall be final and shall not be called in question in any court.

6. **Prohibition of slaughter of animals in places not specified for the purpose.**- No animal in respect of which a certificate has been issued under section 5 shall be slaughtered in any place other than a place specified by such authority or officer as the Administrator may appoint in this behalf.

<sup>7</sup>[6A. **Prohibition against transportation of specified animals for slaughter.**- (1) No person shall transport or offer for transport or cause to be transported any animal specified in sub-section (1A) of section 5 from any place within the Union Territory to any another place within the Union Territory for the purpose of its slaughter in contravention of the provisions of this Act or with the knowledge that it will be or is likely to be so slaughtered:

Provided that a person shall be deemed to be transporting such animal for the purpose of slaughter unless contrary is proved thereto to the satisfaction of the concerned authority or officer by such person or he has obtained a permit under sub-section (2) for transporting animal for bona fide agricultural or animal husbandry purpose from such authority or officer as the Administrator may appoint in this behalf.

(2) (a) A person may make an application in the prescribed form to the authority or officer referred to in sub-section (1) for grant of permit in writing for transportation of any animal specified in subsection (1A) of section 5 from any place within the Union Territory to any another place within the Union Territory.

(b) If, on receipt of any such application for grant of permit, such authority is of the opinion that grant of permit shall not be detrimental to the object of the Act, it may grant permit in such form and on payment of such fee as may be prescribed and subject to such conditions as it may think fit to impose in accordance with such rules as may be prescribed.

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<sup>7</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

- (3) Whenever any person transports or causes to be transported in contravention of provisions of sub-section (1) any animal as specified in sub-section (1A) of section 5, such vehicle or any conveyance used in transporting such animal alongwith such animal shall be liable to be seized by such authority or officer as the Administrator may appoint in this behalf.
- (4) The vehicle or conveyance so seized under sub-section (3) shall stand forfeited to Government in the manner as may be prescribed.

**6B. Prohibition against selling or buying beef or beef products.-** (1) No person shall directly or indirectly sell, keep, store, transport, offer or expose for sell or buy beef or beef products in any form.

(2) Whenever any person transports or causes to be transported the beef or beef products, such vehicle or any conveyance used in transporting such beef or beef products alongwith such beef or beef products shall be liable to be seized by such authority or officer as the Administrator may appoint in this behalf.

(3) The vehicle or conveyance so seized under sub-section (3) shall stand forfeited to Government in the manner as may be prescribed.

Explanation. - For the purpose of this section "beef" means flesh of any animal specified in sub-section (1A) of section 5, in any form.]

**7. Power to enter and inspect premises.-** (1) For the purposes of this Act, the Competent Authority or any person authorised in this behalf by the Competent Authority (hereinafter referred to as the authorised person) shall have power to enter and inspect any premises where the Competent Authority or the authorised person has reason to believe that an offence under this Act has been or is likely to be committed.

(2) Every person in occupation of any such premises shall allow the Competent Authority or the authorised person such access to the premises as may be necessary for the aforesaid purposes and shall answer to the best of his knowledge and belief any question put to him by the Competent Authority or by the authorised person.

**8.** <sup>8</sup>[**Penalties.-**] (1) Whoever in contravention of the provisions of sub-section (1) of section 5, slaughters any animal without a certificate for which such certificate is required, shall, on conviction be punished with imprisonment for a term which may extend to one year and with fine which may extend to ten thousand rupees.

(2) Whoever in contravention of the provisions of sub-section (1) of section 5, slaughters any animal as specified in sub-section (1A) of section 5 shall, on conviction, be punished with imprisonment for a term which may extend to imprisonment for life but shall not be less than ten years and with fine which may extend to five lakh rupees but shall not be less than one lakh rupees.

(3) Whoever contravenes the provisions of sections 6 shall, on conviction, be punished with imprisonment for a term which may extend to one year and with fine which may extend to ten thousand rupees.

(4) Whoever contravenes the provisions of section 6A or 6B shall, on conviction, be punished with imprisonment for a term which may extend to ten years but shall not be less than seven years and with fine which may be extend to five lakh rupees but shall not be less than one lakh rupees.]

**9. Offences under the Act to be cognizable and<sup>9</sup> [non-bailable].-** Notwithstanding anything contained in the Code of Criminal Procedure,<sup>10</sup>[1973 (2 of 1974)], all offences under this Act shall be cognizable and<sup>11</sup>[non-bailable].

**10. Abetments and attempts.-** Whoever abets any offence punishable under this Act or attempts to commit any such offence shall be punishable with the punishment provided in this Act for such offence.

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<sup>8</sup>Substituted for the words “Penalties. - 8. Whoever contravenes any of the provisions of this Act shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both ”by the (Adaptations of State Laws) Second Order, 2022

<sup>9</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

<sup>10</sup>Substituted for the figures and expressions “1898 (V of 1898)”by the (Adaptations of State Laws) Second Order, 2022

<sup>11</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

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**11. Persons exercising powers under this Act deemed to be public servants.-** All persons exercising powers under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (XLV of 1860).

**12. Protection of persons acting in good faith under the Act or rules.-** No suit, prosecution, or other legal proceedings shall be instituted against any person for anything in good faith done or intended to be done under this Act or the rules made thereunder.

**13. Exemption under this Act.-** Subject to any conditions prescribed in this behalf, this Act shall not apply to-

(1) any animal operated upon for vaccine, lymph, serum, or for any experimental or research purposes at an institution established, conducted or recognised by the Government;

(2) any animal or class of animals-

(i) slaughter of which is certified by a veterinary surgeon authorized in this behalf by the Administrator to be necessary in the interest of public health;

(ii) which are suffering from any disease which is certified by such veterinary surgeon as being contagious and dangerous to other animals.

**14. Delegation of powers.-** The Administrator may, by notification in the Official Gazette, delegate-

(1) to any local authority, his powers and functions under section 4 within the local area subject to the jurisdiction of such local authority;

(2) to any officer employed in connection with the administration of the Union territory of Dadra and Nagar Haveli<sup>12</sup>[and Daman and Diu], his powers and functions under section 5.

**15. Power to make rules.-** (1) The Administrator may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

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<sup>12</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for-

(a) the powers and duties of a Competent Authority, in addition to those provided in this Act;

(b) the form of the certificate under section 5;

(c) the amount of fees to be paid under section 5;

<sup>13</sup> [“(cc) the form of application, the form of permit, the fees to be paid and conditions for granting permit under section 6A;”]

(d) the conditions subject to which the Act shall not apply to any animal under section 13;

(e) any other matter which is to be or may be prescribed.

(3) The rules made under this section shall be subject to the condition of previous publication in the Official Gazette.

<sup>14</sup>[Provided that if the Administrator is satisfied that circumstances exist which render it necessary to take immediate action, it may dispense with the previous publication of any rule to be made under this section.]

(4) [Omitted].

16. [Omitted].

17. [Omitted].

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<sup>13</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

<sup>14</sup>Inserted by the (Adaptations of State Laws) Second Order, 2022

**SCHEDULE**

[Section 2(1)]

Bovines (bulls, bullocks, cows, calves, male and female buffaloes and buffalo-calves).

By order and in the name of the  
Administrator of U.T. of Dadra &  
Nagar Haveli and Daman & Diu.

Secretariat,  
Daman.

Sd/-  
(Rohit P. Yadav)  
Law Secretary

Dated: 22<sup>nd</sup> March, 2022

Department of Law & Justice

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