



हरियाणा सरकार

# पशु अतिचार अधिनियम, 1871

THE CATTLE-TRESPASS ACT, 1871

(21 अक्टूबर, 1996 को संशोधित)



निदेशक पशुपालन विभाग, हरियाणा, चण्डीगढ़ द्वारा प्रकाशित

## सम्पादक मण्डल

प्रधान सम्पादक

डॉ० हरि सिंह दहिया,  
निदेशक

सम्पादक

डॉ० ए० गीत  
→ 0-0-10 (— '1f)

डॉ० मो—TIT  
(vfto ~o\_mo)

सहायक सम्पादक

श्री मदन लाल शर्मा

श्री ॥॥॥॥

श्री वेद प्रकाश शर्मा

| ~t(Fi. • 'lnJh)Ji!  
hilt.taj ~Jl!W'ela~  
J~J~ ~~/4 ~!~ 0J~

~ IIIIt Q!lili Jt ~kl! mihh: l;e t!h liz Lie~ !-lp~& llii-JJi Th~ Jllh1YWh  
1~ JdlJhS IIII l~--lJ J4Jl: Ji) <h ad>;~ JJP lli,lb)ft ldlilJ ij.IllJg HiQ tghj  
'PbhU-b lJrj ~ b~W•li ;Wili U•!llk rJ~ J2Jl- 'PJH ~ }J:cul QJUt jf

llh;h Jll l'it~ illi i! .rajt- :bH, ~ Hajil Jf 1,1  
J2 1~ Jt fil Jih f~ t;~ ~ J@:' l ~ }~ J'2'1 ~llS ~/b l ~ lull! Jt~J Jil~ Jh ,%6 l  
~ld? t: JwJl,µ IL fl l \~j lili A~ B?g.J tttj!Jl, lll-Qk Jeb., lkj Jtt;dj, Jb  
)l.tz/2! s)r, EJIE Jll LllZ, hllt ~kj ~ J)lU.k J;!, lJ; t; JtEtit J&

l ~ l~ J'J' J'it J2 ~ill.h J? ~ Jruilli ~  
~Jli ~ ~Ji l!U ~ J,adw J, J,tl;Jf ~ ~hll.f ~ ~lj Jp;Jitli J,2 2hHb  
/sb hll.~ he ~ ~ itJ ~ J;~ ~ Jll~! ~ ~Jl; t, ~ .r.r 1: # Jte J)J Jj  
~j l ~ ~ Jt l ~ l~ll~Jb filit Jkll fl r~J Jj J)2 J h ll~vlg ~h Tub  
~ l ~ ~ int.le l~ Jglli l~ll; Jh ~J. bL u.lJ~ l ~ J~ Jt Jt~t |\*  
h4~ilt ~ ~ t!& hJl Jf Jll~ ~ ~; Jii J)J)Jl! ~JH,J l ~! w}.' Jii J:~1  
)Jil ~Jt ~ ~ ~ Jz! ~IP.tl 4 Jj~h h )?S.l)llJl Tab ilJi;J9 ~J~ l ~  
~ JH! l~ Jk~ iJB J;J~Jk )x Jb~ ~ Jllih l ~ Jt%4Lh ~J,JhU;b J ~ Jilt  
Jle ~ thlah l Jll~hj ~ ~ ~ ~ J~ ~ ~ J~b J ~ ~ ~ t;ilh  
Jh iab t Jitn J! ~ J~ ~ ~Ja iit~WQJ.u uuJl; Jlj.Hh L; Iditaj  
~JHbWl ~ J~J. U J'!!!h ~ ~ ~ Jil~ ~~, JllL Jili Jll ~Jt

l ~ ~t: eJtt Jt, J! Jdlub hJll r;h t bUk ~ Jk J JldL  
Jib Jli~ J ~ W~tt ~ ~ Jn~Lh ~ili Jll,tt l ~ rug~ ~ Jn ~ Jli Jj~l=2  
fol! 4jltli Jll~ ~ Jlp h.U J~ ~11 ~)YE Jp; J9GT t~hllt Jll ~D J)Uajg

( 2tiu Uub »i ~ ) bdlJrJ~ JllUdl Jrb

### !h!£~US

# पशु अतिचार अधिनियम, 1871

(21 अगस्त 1996 को यथाविद्यमान)

धाराओं का क्रम

उद्देशिका

अध्याय-1

प्रारम्भिक

am~

1. ,rM m f{ffir,
2. [firpm']
3. नियंचन खण्ड

अध्याय-2

कांजी हीस और कांजी हीस रखवाले

4. कांजी हीसों की स्थापना

s. ~r ~W: <fir m~ 2  
cm.r.r ~ .ff w;r;r ~ fuq inmr ofir~

6. ~ ~nl' ~cnm ;fi f~ 2  
~ ~'ll ~~,~ ~CRT ;fi cin.ror ~ 64ir.  
m' fPr ;:~m <fir m'i-i-ffl ir,r !

efii;th ~T'f 1:'5feff~ ~ ofi.T~

7. ~ ~ m,' ~-Or;r ;,,r

s. arf~f .fi ~ ~

9. ~ .f' 11T7: ~ lii7riT efR ;r~ f~T,fi 3

(iii)



अध्याय-5

प्रतिकार ~हन्~उर र (fo~)a ~ for~ qf, <ffc

20. परिवार करने की शक्ति

21. परिवार पर प्रतिकार

31f<< <ff — <r f-fir t ft,(f fff)ft;  
— off frn.r;

23. प्रतिकार की वसूली

अध्याय-6

अध्याय-6

1. ~ ~ srf.rjffll .r pra ~ fnnr ~;r zn ~ ~11- ~: fff ITTRif

2. ~ ~/ff;ITR ~rfrn~ <R;rt;ff ff ff 7 q' fvir ~Ro ,G ~mir

3. ~U mr ~ffz in ~i ~,ff in ~Ft, r;ff 'fil f:~Uo- q;L,r, if form ST f;;f

4. q:~fa.r (M,, ii ,dTe, t,r .roj 'ff;ft~1fr ,lrqr~ y-r ITTiar

5. धारा 25, 26 वा 27 के अधीन वसूल किए गए गुमानों का उपयोग

अध्याय-7

प्रतिकार के लिए वाद

29. प्रतिकार के लिये वाद करने के अधिकार की शक्ति

30. मुजरा करना

अध्याय-8

अनुपूरक

31. ~fffc( ~ff lff M, (if irrffliu का oRff:ff if,\r .f) lff7 3iffm

irr — ,tt ro;fll' Rf- it ~r ~, ., 'ff ft~r ~ ~ eft \r~ m— •f lrrff

— --[ff\fa- l]

# पशु अतिचार अधिनियम, 1871

(1871 ऑक्टोबर 1) 21 ऑक्टोबर 1996 ररररररररररर

[13 ऑक्टोबर, 1371]

~ar1 tr1~r arfrer"r # ~q~ fclft ;r) ~irfio  
 M:( tillf)fn; ऑडि:~ i for~ a;fTf,~

~ mr 3-f.,n.; if {t.r.r t:ihl n iri-f Pr ,fn. trll'ftu; 'F1, ,Tlf,afcr ~, .r:clfill-r |  
 :cf: ~~nr fnuff,fer; ~r it n: ~f,lf,qfir; frqr erem i:--

## अध्याय-1

### प्रारम्भिक

1. (1) ;r~ 3fHrff,fn TUT a&Fn7 irfuf;irir, IR71 ;fir .rr ll'irrr: iii7

नाम और  
विस्तार ।

(2) ii-hif fw:ri: 1[~ 71-ir enir1 ir m:wx<sup>1</sup> (;rr 1 S S « ir .rarrf: ~  
 ir4+1 IO, fr d.n q<sup>1/4</sup> TFFT rz. 7Tr'IT ~ HffPCC ~ J M< itz;er ;rrif ;-rr erir  
 r~r( iien' ~ fuqirir fVif ;r;rr w.1>E7 ~mrir~ .Tcrqr it 3ffer~;;r  
 mr ,rirq fflzr cn. ~if ~ ~ irnfro 47, 7nqrr lw-r ii.- ~ 1  
 \* \* \* \* \*

! [;rf ~ BT fr,wr 1-fTfTff >ffofiririff t m firllr ]]

f,;.r, 3'faf;~Jf, 19.;S (1938 fF 1) rrrr ITTfir i

निर्बचन यह

3. ~ 3'fufinr if, --

"rffia rfffirfi" t ~'ff mir ;(wvz' m t fffit "nll" ~ Wtll(f ~r~  
 k, ~. q~, ©ffil 2~, d~. ~fr, ~. rr. ~n; if~, ~, ftf, irtr; r, f'rfultm,;  
 ~ ~ "m" ~ 'ff ~ 4 t m..L

1. 1891 ~ m' ~ ~ 0 1 ajr ,mf 1 rr;; 1/5 wv 1 it ?fFf fr: ~qrfr

!! . f'f'U 3f1,if,~f ~;~ (~ti t'), 3fT~IT 1HS(i rnr " ,rr.r ~ Tmril"  
 ~ f ~ er.: ~ Trrff 1

1. 1914 ff dirfrf;ir'1 i 0 1 ff <f,f 1 On 3'ffim 0 J IPT J'fUHf

(3) ~ 1

~. 1891 ff ;rfaf.rkir Uo 1 # m;r 2 ;rrrr 'ter: ~trfira 1

s-10)

au cltflon at firzr 3fmlr ~ ~fi r,r,fi  
f~r:it:-rd ~ rllf ilrer ~, artff f~r in'fET if fi; ~ ~r sllrl ~ IT  
Mer ;m QffilTif ffrl tr ~.ml'

"-qr:rlf f;sf' 'l' fr:fr ~rfr.i srfrwcl,r q; filf ~ zr Hof:l t.  
~Jt; n{ fffET &rmr;r ~ J

### अध्याय 2

#### कांजी हीस ओर कांजी होम रक्षकालं

~i:fti;77f 771  
~ TI

1. ;m ~ ~f,r ~ ~ 7>rl;tt cel prrfi(f fr~ ~IQII nfT~ <na ij fiv'f  
irf~f~ ;rnr w,r,r- t ,mm:or f~;iOT ifi 3f~QR Xffir ~zr 'l~ fr~w ~ ,

इस बात का अवधारण कि प्रत्येक कांजी हांत किस ग्राम द्वारा प्रयुक्त किया जाएगा जिला मजिस्ट्रेट द्वारा किया जाएगा ।

~ (rn'r ~r  
frziwr'lrm:e:l[  
qmff :fr formilr  
~>i;rrff<Ff  
~',

5. <MF ~ffi fiff if ~C ~ ri'l.al' ~ 3fm'f ~Pl ln7 ~ qf,J,~  
onllii- <F f~i~ QR, f~i~ ~ faq U,rr'i .ft ~T ifT fnra rni  
और समय समय पर परिवर्तित कर सकेगा ।

-rMr itr Fr-  
erm ;f

-[h. z;ze 'r(Fil: n~r (l\* r ~TU~ fffl lq; ;,r;fr r~T 'lhp(9T  
f;priff ~;fr

~  
~r zra \;xen~  
~ tfr &f fRirr  
~ rllr

~ if;rra itr zprffif 'kl~ ~) krrz in: 'n:~i' if: <ffil,r ifrt 3f;q  
~ unor ~ trf"ir

~ [ ~m ,tl-  
;mn acr rnlf  
mifr,r i~

~r ift,ir frr l~ffi भारतीय दण्ड संहिता के अर्थ में लोक सेवक  
~ iff;Tr l]

3. ffflTTTf n's mTffPl, 1s97 (1S97 ;r 1(1) (fr HPT J (18) if  
qft,n(1 :fr 114T .ffvft | ;fr J J ;r,rort, 1807 ~ q:s\lT (f: fro n-fr  
3ffu:nnrT fr virJ. ~ffi ~ |

2. भारत शासन (भारतीय विधि अनुकूलन) आदेश, 1937 द्वारा प्रतिस्थापित ।



कांजी हीस रखानों के बर्तब्य

7. ~II III, I ifm ,trrHr r-ri rnf{/? <ifilfr 'dr. ~'II rrr4' {f0TJf  
'FII "1-1 .:;:;: ITHH!\ ~rrq iitM in; frf;Uc <- 1

'(f,h.!' 'GjTf  
~ fcl ~vrer  
f;ff  
<h,Uttoff qfr  
~ ~ Ifivff I

s. ifif T~ 't'vfr ~< ff r;~ JT/ ;:; , ft;fr ~Hh {ff~Hh 3u~ if;j, <:  
Tf f;:;f~ fffif;: <f; ,rr —

- (क) जीव-जन्तुओं की संख्या और वर्णन
- (ख) वह दिन और समय जब वे वहाँ ऐसे लाए गए,
- (ग) अभिग्रहण करने वाले का नाम और निवास स्थान, और

(H) Errir q;: <lf ma :fr ,,,, M frertr ~rr;:  
ifrt ~ ~ ~ qi~ lfr r~if 3{fff'lf ,M effifz iir ur~  
'r<ff I

9. rrrir ~M ~<:ic rrrir;: nr ar aii ij;q ei~ fr ~i-q;: ~  
'rnt un,fo f;~Z l?rr it orrrir ,i{f 'ET rGff ;:;m; hrp< ~OT 'ETTi,  
~i~ fffl~rr r N. firrH,7f

t(i)ln ,fi 'IT{  
~OT ~T~  
~ fum.rri

अध्याय 3

पशुओं का परिवर्द्ध करना

10. किसी भूमि का कृषक या अभिग्रहणकारी :-

'ffl ~7 TffIT~  
tfffi <fi~ GJ I

fr (i)t 0rrffl furffif fiffi ,Tfir '7 <fi ~ (fi id) ;:;if <f 'vff  
~ faii ;:;G '3HT.. fGir ~

lfr ~f toHil <ii ;:;rJ art;:r ~m~ ffitT mir 'fir i:r; ei <rd';:m;  
M ~ 'P mid;f7: dit~ rff efn ~<n' ;:;f 'SH hrz 'ift fnfr Trrr ~r , ~ -FI  
~<ff er~ ~ q(~ ff; <lf ff~z(f .f ~firrrr- rff ~<aj r; rfr'7~ ;:;r 7f~f  
nIT [-r,rr; ;:;r; r; i-t i;,<) <ar if;r,fr tff 'D) l'rrif r-siti m f~ii-f  
~trrr] ;:;f 'rrr rrr ~ 0'1 "rir' r it fop;q <f- r;:;ff 'r; f;:;r # 1

efrrJ ~ ~< rrrf;:;fr; ;:;rPvi farr ~r, 'P' (di) ~ ~ ff;:; — ;:; lrrfa-lra .rt,  
)fr { (~) ~ ;:;rfinr-Jf mif <fi~ qf~r;fi i; ~Fs, ff, it, fr, ;:;Tff if 'T2GJH .~ff I

अभिग्रहण करने  
वाले को पुलिस  
द्वारा सहायता ।

t. 189t itllf-fiff; nru 1 :frrP J:ru ;:; ;:;n;j;:; ;:;k:;ffifT<iff ~ fN~fvrr  
;:;f iiii~m III ~<it;:; ~ ;:; rrr;:; rrr st:;H~rffii'



(धाराएं 14-17)

I.  $\langle r f - m f f m - r f f \rangle$  in ; ; m n. 1 ; ; " r f i, r ; r r q ; n : h r f ~ i r f ~ ~ f i, u n f f f f i t f r r f  
 if; q, n ; ; f i q r i l d r ; f i d i r a y f m < l i - m, r ; ; 9 : r, i i e f r f r r r f r, r ; / 2 i r J f ; i r r T r t f f i ~ r ~ ~ ~ :  
 ~ 8 H 7 H M, ~ f f i ; r f i f i f f i n l w a ; ; r P, r r r r i f f i, j - b r r R f f o r ~ r i i j i ~ ~ i r f f r i n, ~ < r ; ; f i < r < i i i  
 f r i f e, ; r <

~ r i i l f o r q ; i f i ; ; r ~ r ; t < f ~ ~ k ~ f i ; f i " ~ f < l i t t t . # ; ; r X i F i i ~ G, r - 1 6  
 f r i r i i f i p ; ; f o r m m e r f f e f { f i i r -

पशुओं की संख्या और वर्णन,

(ख) वह स्थान जहाँ वे अभिगृहीत किए गए थे,

(ग) वह स्थान जहाँ वे परिवर्तित किए गए हैं,

$\langle \rangle$ , m r f i r c r r r r r ~ \langle p f r q u n ~ f, n r i r r ~ ; ; \langle f f ~ f, n i \rangle f f r m i i t r r ; ; < ;  
 ~ r r i f d 7 7 f . i f f .

" ~ r ~ m i i f i r ~ < r r u n ; ; r i r n t m r i i m r f ; ; m - 9 ; v : . i . f i i w " : Q l f r  
 " , ; ; ~ " r ' a ~ i l f i r ; ; ~ T r f s i f r f r { f f f ~ f i 4 } B r N i f ~ ~ f r e f r . ~ f w i T i l  
 f f i f , d t f t a f e q i r e h a n y o c < i r i r ~ < ; r f i l i , i t ! ( e f r ; ; i f f i t f i f f f y , f ; r ~ : t r ; ; m o r  
 < i P l i r r r r r ~ ~ m i f i r ~ ~ i r r ~ f - f ~ d i t , ~ r i r i r ~ ~ i r - h . p l . e r < . o b f q  
 कर स्थिति: ज. ए. ग. ।

" 7 ) : ; ; i i - j ~ < i ~ e f i ~ e f r ~ i t f e r f i ; ; i i ~ m y . i i e f r i - i i i T ; ; s r i ; ; r r r i { f i t  
 v r i ; ; m ; ; f . i f f i ; ; r f a c ; ; r f i - n i r r ~ m ; ; r ~ i i z . r r r r j a b i i t i t l f r i i i f i n i r  
 3 i संधान: जैसा वह ठीक समझें ।

r s . : ; r ~ R n r r ; ; ; f T o f i r q ; ~ m i o q f e - l f f ~ r r i : ~ ; ; n ~ ; ; j v ; ; q ; ; f i i ~ ~ T ;  
 : a s { d l i f ~ ~ ~ e f i l ~ ~ e f i a n i r ~ . f . n : 9 < ~ r ~ f i n q f ~ i t ; ; r i i r i i . W t . f o  
 ~ r i f r e T < i m n i f s r e f r ; ; r f - e r r r R R r r i r t l r ~ i . e i . w a ; ; i i i i m d f f , i i f < v i - i . P r i i t i r F r  
 - f r " J 4 1 - 1 ~ ; i i e r q u r , e q ~ J i r i r < i i ; ; d i t n i z u f J Q i r . l

a r N - i ~ < f  
 e f m i t q . : T i i T G  
 ; ; o r i f e r r ~ f l i ; §  
 f i r e r e f ? i r m e f  
 i e r n f r < i r e f T G f i

r G . z r ~ f a l p f r i r ' 3 f f q ' : ~ f r a f f i t 3 < ~ < i ~ t i r r ~ m ~ i f f ' i ' i i n e f r ;  
 " \ i i t e f i m ; ; . i . ~ ~ u . ' ! : ( ~ ; ; ( 1 ~ i f a r i u m ; ; v r r i f ) ' 3 ~ . i \* f o i ~ ~ ~ ; f r ' f r  
 f ; f e ; e r e s t ~ ~ i r ; ; ~ r r r ~ i e j ~ { f i r ~ 1 ~ e r r . ~ e f r i ~ i r f e r i 7 f 6 [ r { i t ~  
 ~ R m t . n n i r : ~ ; ; t p i i f e ~ m ; ; ~ q o i f e f r ? r u r ~ ~ i i i i 1 4 . ) f . f r ~ ~ , " " " ;  
 ~ ~ i i ; ; ~ i i i ~ ~ ; ; f i : f f f & g r ~ l ; ; r ~ < i ~ 1 . ~ . t u r ; f i ~ e r ~ r i i i i i { r . f e t i q . d . c f i r :  
 ; ; r r t m ; ;

~ ~ f f i f r ; ; . r r n  
 ; ; ( i : 0 ~ i i i " < . f  
 t r G n , r r n ~  
 ~ \* 1 7 ~ e n ~  
 i r . f r r ~ ; ; r  
 ~ < q ; ; i t e r j (



19. <T>Tft fffft fffftfr-fr, in q,,P;(f~ru m'm;fr it~<~r~r ;ft' ~  
4' ~c ~eff ~~cfir ~ ir ~ qf,rk(1pr ~ 3nfr; Pf;ifr ~ Jf fr,fr  
~ ~T srnie; ~T ,rfr~br r:r ir sl,~ ~it ,r; fr !

ITT ~ Jn' ier~ (PJ 7/1144<ff r;~ mfrfr;', ~ d7l fmi:fi@. nif qf~T., ~f ~<  
~ ~ moi x: wprrr ~~ fl ~ ~ iief n'l; ;@ .rnr vlg ;i.r fi; ":fr fr{ ftr <T  
rr~R fii/4(4' ;;rim, G rrrr qrf;~ ,r it !

; [3i;:1ft1f 5

41 ~ ~ srfr.r'h';;IT ITT f'it;~ ~ " q-f~errG

20. <T>T o11'fffl R;rn; q:U 'IB ~fffrn; , ~ ;;rir; tfr.r1{m ffr; ~ ~ <f  
iir ill'f.rwa: f0~ ;rr;' q' 'm qfuf,irir ~; ;r~err /i fit~ firq <T~ i. m ~  
fr an:~ ir ~ fr; ~ moi: ffrir trrq, fr,r r' ~ c kPdei: f~r ~ c: em  
f; ~ t f~i fffrrt hf ~ i'IT '3zkr rB4'IT:0] ;;~ ~; f~ 171~at, T f;fihr ~ c  
it c;f;~ ~ " ~ ~rr !

qf;:IT~ ,{f ifi  
~m,

21. nmr~ ufr qfnn;fr ,IT m ITT~'ffoll ir ~<R~i ~  
if 'ifef;ra fq;m iifil<fat ~IT h.r,i ~. [f~;r; | ~ fuf;r; <f rff;~i ~) :TrUf 7. |  
;f: ~ /,rfuq; ~ nr ~ r m, B'f;f~c ~nT for~ fu<lr f;fritT !

ofR<ITG ofr  
ff~Z.f |

IfR rh-omfr hf ?irli ,rf;fil;f " ~r erfhn 'q' ir ~ c: tff; ffr; qf; fr hf:UT  
mr !;f: ofvvn~ ;[-IDErITTi ~ nT f'q' 3T ;q)q; <f' ~;~i(rf '1,1Jf) ~ ~rq;  
ef,ofR frerr ,ren iff ~ .IT,m: tr ;;r,r ofTfr !

22. ,~ M ~ .r fiinr ~er .ifrtf;afur fi;ri ;;mr fr i,f;l \$ ~ r  
<: ~1~ ft r{ ~lfrt; ftr q;<: tT qtr U wifUdi hf ~ if; sl'f'ef; , ITTorrir  
if ~.el; , ~f;: ,it,, q~rr rri i;ff;r,, TLrri Rn ir m~~ am ror  
'lof ~ qn '5q<ffj ~<f ~%n ~ .Tff ~m ~I ;;r;rr fm ~ T  
fi;lr rrr m;rm ofi ~ ~r,

~~~ ;rf~  
m fnt' it;  
R'ttITh'l,c |

M ,f- ~ <IT f;f;f; ~: fil~, rml ~ ft~fa~tc~m ~ ~r; it  
'Rifuo, ~ it; f.;RR if' m~ a..I M.' % f;~, ilii.m fi; ~ ~ ~ ib mfr;  
'" ~ ofiir tuor ~ m ~ ;m offfffi rrrer ~z; ;f.l: i.fi(1r f.rn~ irf ~ fi; jr ~  
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THE CATTLE TRFSPASS ACT, 1871

As on the 21 August 1996

ARRA~GEMENT OF SECTIONS

PREAMBLE

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PRELTMINARY

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Page No.

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TITLE (ARTICLE) OF THE CROSSING ACT, 1871

As on the 21 August 1996

ACT No. 1 OF 1871

[131, Jriminary. 1871}

An Act to amend and amend the law relating to **crossings** by

WHEREAS it is expedient to amend and amend the law relating to crossings by cattle;

Preamble

It is hereby enacted as follows:—

CHAPTER

PRELIMINARY

1. (1) This Act may be called the Crossing Act, 1871; and

Title and extent.

1. It extends to the whole of India except the territories which immediately before the 1st November, 1956, were comprised in Part B States, and the Presidency towns and such local areas; the State Government, by notification in the Official Gazette, may from time to time exclude therefrom any territory.

2. (Repeal of Acts. Refer to the repealed Acts, by the Repealing Act, 1938 (1 of 1938).)

3. In this Act,

Interpretation clause.

"officer of police" includes a village-waichan, and "cattle" includes camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids, "

"local authority" means any body of persons for the time being invested by law with the control and administration of any matters within a specified local area, and

- 1. Subs. by Act 10 of 1891, s. 1, for "thoririnnis."
- 2. Subs. by the Adaptation of Laws (No. 2) Order, 1956, for "Purl n Stmes".
- 3. Subs. by Act 10 of 1891, s. 3 and Sch. H.
- 4. Ins. by Act 1 of 1891, s. 1.
- 5. *Oz.* definition ins. 3(28) of the General Clauses Act, 1857 (10 of 1857) which applies to all Acts passed after the 14th January, 1887.

"local fund" means any fund under the control or management of a local authority.]

## CHAPTER II

### POUNDS AND POUND-KEEPERS

Establishment of pounds.

4. Pounds shall be established at such places as the Magistrate of the District, subject to the general control of the State Government, from time to time directs.

The village by which every pound is to be used shall be determined by the Magistrate of the District.

Control of pounds, Rates of charge for feeding and watering impounded cattle.

5. The pound shall be under the control of the Magistrate of the District: and he shall fix, and may from time to time alter, the rates of charge for feeding and watering impounded cattle.

Appointment of pound-keepers.

6. The State Government shall appoint a pound-keeper for every pound.

Pound-keepers may hold other offices.

Any pound-keeper may hold simultaneously any other office under the Government.

Pound-keepers to be public servants.

Every pound-keeper shall be deemed to be a public servant within the meaning of the Indian Penal Code, 45 of 1860.

#### *Duties of Pound-keepers*

To prepare returns and furnish returns.

7. Every pound-keeper shall keep such registers and furnish such returns as the State Government from time to time directs.

To register seizures.

8. When cattle are brought to a pound, the pound-keeper shall enter in his register—

(a) the number and description of the animal,

(b) the day and hour on and at which they were so brought,

---

1. Subs. by the A.O. 1937.

- (c) the name and residence of the seizure, and  
 (d) the name and residence of the owners, if known,

and shall send the collector or his agent a copy of the entry.

9. The pound-keeper shall take charge of, feed and water the cattle until they are disposed of as hereinafter directed.

To take charge  
of food feed  
**cattle.**

## CHAPTER JII

### (M POUNDING CATTLE

10. The cultivator or occupier of any land,—

or any person who has advanced cash for the cultivation of the crop or produce on any land,

or the vendor or mortgagee of such crop or produce or any part thereof,

may seize or cause to be seized any cattle trespassing on such land, and doing damage thereto or to any crop or produce thereon, and [send them or cause them to be sent within twenty four hours] to the pound established for the village in which the land is situate.

**Cattle** damaging  
land.

All officers of *police* shall, when required, aid in preventing (a) resistance to such seizures, and (b) rescues from persons making such seizures.

Police aid  
seizures.

11. Persons in charge of public roads, pleasure-grounds, plantations, canals, drainage-works, embankments and the like and officers of police, may seize or cause to be seized any cattle doing damage to such roads, grounds, plantations, canals, drainage-works, embankments and the like, or the sides or slopes of such roads, canals, drainage-works or embankments or found straying thereon.

Cattle damaging  
public roads,  
canals and em-  
bankments.

and shall send them or cause them to be sent within twenty four hours] to the nearest pound.

12. For every head of cattle impounded as aforesaid, the pound-keeper shall levy a fine in accordance with the scale for the time being prescribed by the State Government in this behalf by notification in the Official Gazette. Different scale may be prescribed for different local areas.

Fines for cattle  
impounded,

1. Subs. by Act 1 of 1891, s. 3 for "take them or cause them to be taken without unnecessary delay."

" As to the application of s. 11 to forests see the Indian Forest Act, 1927 (7 of 1927) s. 70: to Railways see the Indian Railways Act, 1890 (9 of 1890), s. 125(4).

3. Subs. by Act 1 of 1911, s. 1, for "take them without unnecessary delay..."

4. Subs. by Act 17 of 1921, s. 1 for the Indian Forest Act, 1907, see also s. 71 of the Indian Forest Act, 1927.

All fines so levied shall be sent to the Magistrate of the District through such officer as the State Government may direct.

List or list of and charges for feed in &

All fines so levied shall be sent to the Magistrate of the District through such officer as the State Government may direct.

CHAPTER IV

DELIVERY OR SALE OF CATTLE

Procedure when owner claims the cattle and pays fines and charges.

13. If the owner or the impounded cattle or his agent appear and claim the cattle the pound-keeper shall deliver them to him on payment of the fines and charges incurred in respect of such cattle.

The owner or his agent, on taking back the cattle, shall sign a receipt for them in the register kept by the pound-keeper.

Procedure if cattle be not claimed within a week.

14. If the cattle be not claimed within seven days from the date of their being impounded, the pound-keeper shall report the fact to the officer in charge of the nearest police-station, or to such other officer as the Magistrate or the District appoints in this behalf.

Such officer shall thereupon stick up in a conspicuous part of his office a notice stating—

- (a) the number and description of the cattle,
- (b) the place where they were seized,
- (c) the place where they are impounded

and shall cause proclamation of the same to be made by beat of drum in the village and at the market-place nearest to the place of seizures.

If the cattle be not claimed within seven days from the date of the notice, they shall be sold by public auction by the said officer, or an officer of his establishment deputed for that purpose, at such place and time and subject to such conditions as the Magistrate of the District by general or special order from time to time directs.

Provided that if any such cattle are, in the opinion of the Magistrate or the District, not likely to fetch a fair price if sold as aforesaid, they may be disposed of in such manner as he thinks fit.

Delivery to owner disputing legality of seizure but making deposit

15. If the owner or his agent appears and refuses to pay the said fines and expenses, on the ground that the seizure was illegal, and that the owner is about to make a complaint under section 20, then, upon deposit of the fines and charges incurred in respect of the cattle, the cattle shall be delivered to him.

Procedure when owner refuses or omits to pay the fines and expenses.

16. If the owner or his agent appears and refuses or omits to pay or (in the case mentioned in section 15) to deposit the said fine, and expenses, the cattle, or as many of them as may be necessary, shall be sold by public auction by the said officer at such place and time, and subject to such conditions, as the Magistrate or the District may direct in section 14.

The fines leviable and the expenses of feeding and watering, together with the expenses of sale, if any, shall be deducted from the proceeds of the sale,

Deduction of fines and

The remaining cattle and the balance of the purchase-money if any, shall be delivered to the owner or his agent, together with an account showing—

Delivery of unsold cattle and balance of proceeds.

- (o) the number of cattle seized;
- (b) the time during which they have been impounded;
- (c) the amount of fines and charges incurred;
- (d) the number of cattle sold;
- (e) the proceeds of sale; and

(f) the number in which those proceeds have been disposed of.

The owner or his agent shall give a receipt for the cattle delivered to him and for the balance of the purchase-money (if any) paid to him according to such account.

Receipts

17. The officer by whom the same were made shall send copies to the Magistrate of the District the fines so deducted.

Disposition of fines and proceeds of sale.

The charges for feeding and watering deducted under section 16 shall be paid over to the pound-keeper, who shall also retain and appropriate all sums received by him on account of such charges under section 13.

The surplus unclaimed proceeds of the sale of cattle shall be sent to the Magistrate of the District, who shall hold them in deposit for three months, and if no claim thereto be preferred and established within that period, shall at its expiry, be deemed to belong to the revenues of the State.

*Section 17, Act No. 19 of 1937, for disposal of them as hereinafter provided.*

19. No officer of police, or other officer or person appointed under the provisions therein contained shall, directly or indirectly, have any cattle at a sale under this Act.

Officers and Pound-keepers not to purchase cattle at sale under Act.

No pound-keeper shall release or deliver any impounded cattle otherwise than in accordance with the former part of this Chapter, unless such release or delivery is ordered by a Magistrate or Civil Court.

Pound-keepers when not to release impounded cattle.

1. Subs. by the A.O. 1937, for disposal of them as hereinafter provided.

COMPLAINTS OP ILLEGAL SEIZURE OR DETENTION

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20. Any person who when cattle have been seized under this Act, or having been so seized, have been detained in contravention of this Act, may, at any time within ten days from the date of the seizure, make a complaint to the Magistrate of the District or any Magistrate authorised to receive and try charges without reference by the Magistrate of the District.

Procedure of complaint.

21. The complaint shall be made by the complainant in person, or by an agent personally acquainted with the circumstances. It may be either in writing or verbal. If it be verbal, the substance of it shall be taken down in writing by the Magistrate.

Compensation for illegal seizure or detention;

If the Magistrate, on examining the complainant or his agent, is satisfied to believe, the complaint to be well founded, he shall summon the person complained against, and make an inquiry into the case.

22. If the seizure or detention be adjudged illegal, the Magistrate shall order the person complained against (or the person who caused the seizure or detention, if the person complained against is not found) to pay to the person who made the seizure or detention, together with all fines paid and expenses incurred by the complainant in procuring the release of the cattle,

and, if the cattle have not been released, the Magistrate shall, besides awarding such compensation, order their release and direct that the fines and expenses payable under this Act shall be paid by the person who caused the seizure or detention of the cattle.

and, if the cattle have not been released, the Magistrate shall, besides awarding such compensation, order their release and direct that the fines and expenses payable under this Act shall be paid by the person who caused the seizure or detention of the cattle.

Recovery of compensation.

23. The compensation, fines and expenses mentioned in section 22 may be recovered as if they were fines imposed by the Magistrate.

PENALTIES

Penalty for forcibly opposing the seizure of cattle or rescuing the same.

24. Whoever forcibly opposes the seizure of cattle liable to be seized under this Act, and whoever rescues the same after seizure, either from a pound, or from any person taking or about to take them to a pound, such person being near at hand and acting under the powers conferred by this Act, shall, on conviction before a Magistrate, be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both,

and whoever rescues the same after seizure, either from a pound, or from any person taking or about to take them to a pound, such person being near at hand and acting under the powers conferred by this Act,

shall, on conviction before a Magistrate, be punished with imprisonment for a period not exceeding six months, or with fine not exceeding five hundred rupees, or with both,

1. Subs. for (t) original Cl. by Ast I of 1,891; 8, G.



15. Any person who is liable under the next following section or for the offence of mischief by causing cattle to trespass on any land may be recovered by sale of all or any of the cattle by which the trespass was committed, whether they were seized in the act of trespassing or not, and whether they are the property of the person convicted of the offence or were only in his charge when the trespass was committed.

**Recovery of penalty for mischief committed by causing cattle to trespass.**

26. Any owner or keeper of pigs who, through neglect or otherwise damages or causes or permits to be done on any land, or any crop or produce of land, or any public road, by allowing such pigs to trespass thereon shall, on conviction before a Magistrate, be punished with fine not exceeding fifty rupees.

**Penalty for damage to land or crop or public roads by pigs.**

The Government, by notification in the Official Gazette, may from time to time, with effect to any local area specified in the notification, direct that the foregoing portion of this section shall be read as if it had reference to cattle generally, or to cattle of a kind described in the notification, instead of to pigs only, or as if the words "fifty rupees" were substituted for the words "ten rupees" or as if there were both such reference and such substitution.

27. Any pound-keeper releasing or purchasing or delivering cattle contrary to the provisions of section 19 or omitting to provide any impounded cattle with sufficient food and water, or failing to perform any of the other duties imposed upon him by this Act, shall over and above any other penalty to which he may be liable be punished, on conviction before a Magistrate, with fine not exceeding fifty rupees.

**Penalty on pound-keeper failing to perform duties.**

Such fines may be recovered by deductions from the pound-keeper salary.

28. All fines recovered under section 26 or section 27 may be appropriated in whole or in part as compensation for loss or damage proved to the satisfaction of the convicting Magistrate.

**Application of fines recovered under section 26 or 27.**

### CHAPTER VII

#### SUITS FOR COMPENSATION

29. Nothing herein contained prohibits any person whose crops or other produce of land have been damaged by trespass of cattle from suing for compensation in any competent Court.

**Saving of right to sue for compensation**

- 
1. As to the application of s. 25 in the case of Cattle trespassing on a railway, see the Indian Railway Act, 1890 (9 of 1890), s. 12S(3).
  2. Inii. by Act 1 of 1891, s. 7.
  3. Ins. by s. 8 *ibid.*
  4. The last paragraph of a. 26 rep. by Act 10 of 1914.

Set-off.

30. Any compensation paid to such person under this Act, by order of the convicting Magistrate shall be set-off and deducted from any sum claimed by or awarded to him as compensation in such suit.

[CHAPTER VIII

SUPPLEMENTAL

Power for State Government to transfer certain functions to local authority and direct credit of surplus receipts to local fund.

31. The State Government may, from time to time by notification in the Official Gazette,--

- (a) transfer to any local authority within any part of the territories under its administration in which this Act is in operation, all or any of the functions of the State Government or the Magistrate of the District under this Act, within the local area subject to the jurisdiction of the local authority.

\* \* \*

[SCHEDULE]—(1) by the Repeating Act, 1938 (1 of 1938).

1. Ch. VIII was added by Act I of 1891, s. 9.

2. Cl. (b) rep. partially by Act I of 1914 and part thereof by the A.O. 1937.

29249—D.A.H.—H.G.P. Cbrl.