

THE BENGAL DISEASES OF ANIMALS ACT, 1944
(Bengal Act VI of 1944)

An Act to provide for the prevention of the spread of contagious diseases amongst animals in Bangladesh.

2. In this Act unless there is anything repugnant in definitions, the subject or context, -

- (1) "animals" means bulls, bullocks, cows, oxen, heifers, calves, buffaloes, sheep, goats, and all other ruminating animals, dogs, swine and includes such other domesticated animals excepting horses, camels, asses and mules as may be specified in this behalf by the Government by notification in the Official Gazette;
- (2) "contagious disease" means rinderpest that is to say, the disease commonly known as cattle plague, anthrax, haemorrhagic septicaemia, foot-and-mouth disease, rabies and includes such other diseases as may be declared by the Government by notification in the Official Gazette to be contagious diseases for the purposes of this Act;
- (4) "infective" used with reference to an animal means affected by a contagious disease or having recently been in contact with or proximity to an animal so affected;

3.(1) Every owner or person in charge or having control of an animal, and every veterinary practitioner attending any animal in the course of his veterinary practice or otherwise, who has reason to believe that such animal is infective shall forthwith report and other person who has reason to believe that an animal is infective may report the fact to the *Chairman of the Union Parishad* within the area of which such animal is for the time being kept.

(2) The Chairman of the Union Parishad on receiving any report under sub-section (1) shall without delay communicate such report to the District Magistrate who shall, unless for reasons to be recorded in writing he considers that the report is unfounded in fact, instruct the Veterinary Assistant to proceed to the place where the animal is for the time being kept and examine the animal and inquire into the circumstances of the case, and on receiving such instructions the Veterinary Assistant shall without delay comply therewith.

(3) Whenever a Veterinary Assistant has reason to believe that any animal within his jurisdiction is infective he shall proceed as soon as possible to the place where the animal is and examine it and inquire into the circumstances of the case, notwithstanding that no report under sub-section (2) in respect of such animal has been received by him.

(4) If after the examination and inquiry referred to in sub-section (2) or subsection (3) the Veterinary Assistant is of the opinion that the animal is infective, he shall report the matter in the manner prescribed to the Government ... and the Veterinary Assistant shall also take such further action under the provisions of this Act as may be necessary or expedient

4. Every owner or person in charge or having control of an animal who has reason to believe that such animal is infective shall as far as may be possible in the circumstances segregate such animal in a place apart from all other animals which are not infective and shall take all possible steps to prevent any animal which is not infective from coming into contact with or approaching near to such animal.

5.(1) The Government or such officer as it may authorise in this behalf may by notification published in the manner prescribed declare any area in which any contagious disease has broken out, or any area within which in the opinion of the Government, or such officer, there is a danger of the spread of any such disease, to be an infected area.

6.(1) Save in accordance with the conditions of a licence granted by Veterinary Assistant-

- (a) no person shall remove any animal, alive or dead, or any product of any animal (including its excreta) or any part of any animal or any fodder, bedding, harness or other thing used in connection with an animal, and
- (b) no person owning or having charge or control of any animal shall allow such animal to proceed,

from any place within an infected area to any place outside such area or from any place outside an infected area to any place within such area.

(2) Nothing in sub-section (1) shall prevent the carriage by railway or by any mechanically propelled vessel of a type approved by the Government of any animal or thing referred to in that sub-section through an infected area:

Provided that if such animal or thing at any stage during its carriage by railway or such vessel through an infected area is unloaded therein it shall not be removed therefrom save in accordance with the provisions of sub-section (1).

7.(1) In all cases in which preventive vaccination or inoculation is possible and practicable against the contagious disease in respect of which an area has been declared to be an infected area, the Veterinary Assistant shall vaccinate or inoculate, as the case may be, such kinds or classes of animals in that area as may be prescribed in respect of such disease and the owner or person in charge or having control of every such animal shall render every facility and assistance to him in carrying out such vaccination or inoculation.

(2) When a Veterinary Assistant vaccinates or inoculates any animal he may for the purpose of identification also mark such animal in such manner as may be prescribed.

8.(1) Where a Veterinary Assistant, after due examination of an animal and such enquiry into the circumstances of the case as may be necessary, is of the opinion that such animal is infective, he may by order in writing direct the owner or person in charge or having control of such animal,-

- (a) to keep it where it is for the time being, or to remove it or allow it to be removed to such place of isolation or segregation as may be specified in the order;
- (b) to subject it to such treatment as may be specified in the order;

and such owner or person in charge or having control of such animal shall comply with such order:

Provided that where there is no person in charge or having control of the animal and the owner is either unknown and cannot be ascertained without undue delay, or the order cannot be communicated to him without undue delay or the owner or person in charge or having control of the animal fails to comply with the order within such time as in the opinion of the Veterinary Assistant is reasonable, the Veterinary Assistant shall seize the animal and remove it to a place of isolation or segregation and may subject it to such treatment as may be necessary.

(2) If the owner of an animal seized under the proviso to sub-section (1) or his authorised agent applies in the prescribed manner for the return of such animal to his possession, the animal shall be so returned if such owner or his authorised agent pays any expenses, calculated in the prescribed manner, incurred for the upkeep of the animal up to the date of its release:

Provided that on the release of the animal the owner or his authorised agent, as the case may be, shall comply with any order which the Veterinary Assistant may see fit to issue under sub-section (1).

(3) If the owner of an animal seized under the proviso to sub-section (1) or his authorised agent does not apply for the release of the animal under sub-section (2) and the animal is, in the opinion of the Veterinary Assistant, *no longer likely to infect any other animals with the contagious disease in respect of which it was seized*, the Veterinary Assistant shall send the animal to the nearest cattle pound or deal with it in such other manner as may be prescribed.

(4) Notwithstanding anything in sub-sections (1), (2) and (3) if the Veterinary Assistant, after due examination of any animal, certifies in writing that such animal is affected with any of such contagious diseases as may be prescribed in this behalf, he may destroy the animal or deal with in such other manner as may be prescribed.

9. Subject to such rules as may be prescribed, the Veterinary Assistant may by order in writing, require the owner, occupier or person in charge of any building, yard, vessel or vehicle in which an infective animal has been kept to have such building, yard, vehicle or vessel disinfected, and the internal fittings thereof and other things found therein to be disinfected or destroyed in such manner and to such extent as may be specified in the order, and such owner, occupier or person in charge shall comply with such order.

10. No person shall organise, promote or hold in any infected area any animal market, animal fair, animal exhibition or other concentration of animals whether for the purpose of sport or trade, without the permission in writing of the Government or such officer as the Government may authorise in this behalf.

11. If the Veterinary Assistant suspects that any animal is infective he may subject it to such tests as may be prescribed and the owner or person in-charge or having control of such animal shall render every facility and assistance to him in carrying out the tests.

12. Subject to such rules as may be prescribed the Veterinary Assistant may make or cause to be made a post-mortem examination of any animal which

at the time of its death was infective or suspected to have been then infective and for this purpose he may cause the carcass of any such animal to be exhumed.

13.(1) Every animal which at the time of its death is infective or suspected to be infective shall be buried at least six feet below the surface of the ground or dealt with in such other manner as may be prescribed.

(2) Except in the case of the exhumation of a carcass under section 12, no person shall disinter or otherwise remove the carcass of an animal buried in compliance with the provisions of sub-section (1).

14. Whoever brings or attempts to bring into any market, fair, exhibition or other concentration of animals, any animal which he knows or has reason to believe to be infective shall be punished with fine which may extend in the case of a first conviction to fifty Taka and in the case of a second or subsequent conviction to one hundred Taka.

15. Whoever sells or attempts to sell or to transfer in any manner to another person any animal which he knows or has reason to believe to be infective shall be punished with fine which may extend in the case of first conviction to one hundred Taka and in the case of a second or subsequent conviction to five hundred Taka.

16. (1) Whoever,-

- (a) having reason to believe that an animal is infective fails to give information as required ..., or
- (b) fails to segregate any animal ..., or
- (c) contravenes the provisions of section 6, or
- (f) fails to comply with an order made under section 9, or
- (g) organises, holds or promotes, as the case may be, any animal market, animal fair, animal exhibition or other concentration of animals in contravention of the provisions of section 10, or
- (h) fails to render every facility and assistance to a Veterinary Assistant as required by section 11, or
- (i) contravenes any of the provisions of section 13, shall be punished with fine which may extend to fifty Taka.

(2) If any person having been convicted of an offence punishable under any of the clauses (a) to (i) of sub-section (1) is again guilty of any offence punishable under that clause or is guilty of any offence punishable under any

of the remaining said clauses he shall be punished for every such subsequent offence with fine which may extend to one hundred Taka.