

**THE PUNJAB LIVESTOCK AND BIRDS'
DISEASES ACT, 1948.**

TABLE OF CONTENTS

CHAPTER I-PRELIMINARY.

Sections.

1. Short title, extent and commencement.
2. Power to exempt areas from the provisions of this Act.
3. Definitions.
4. Scheduled diseases.
5. Veterinary Surgeons.
6. Inspectors.
7. Status of Veterinary Surgeons and Inspectors.
8. Powers of Inspectors.

CHAPTER II-THE CONTROL OF DISEASE.

- 9 Power to regulate inter-State trade and to control transport of animals and things which may spread diseases.
- 10 Power to control the holding of markets, fairs, etc.
- 11 Power to control traffic in infective livestock or birds.
- 12 Cleansing and disinfection of vessels and vehicles.
- 13 Duty of certain persons to report scheduled diseases.
- 14 Power of Veterinary Surgeon to hold post-mortem.
- 15 Power to isolate infective livestock or birds.
- 16 Examination by the Veterinary Surgeon.
- 17 Action after examination by the Veterinary Surgeon.
- 18 Compensation for livestock or birds destroyed.
- 19 Power to require disinfection of infected premises, vessels or vehicles.
- 20 Declaration of private infected places.
- 21 Examination of infected places by Veterinary Surgeon.
- 22 Declaration of public infected places.
- 23 Declaration of infected areas by the State Government.
- 24 Removal of animals and other things from infected areas or places.
- 25 Power to return livestock or birds etc., to infected areas.
- 26 Time for complying with and enforcement of orders.
- 27 Recovery of expenses incurred under this Chapter.

CHAPTER III- PENALTIES AND PROCEDURE.

- 28 Penalties for contraventions of Acts, Regulations and Rules.
- 29 Penalty for keeping or grazing infective livestock or birds in unenclosed land.
- 30 Penalty for bringing infective livestock or birds to market.
- 31 Penalty for placing carcass of infective livestock or birds in river.
- 32 Penalty for disinterring carcass of diseased livestock or birds.

- 33 Penalty for malicious and vexatious entry of seizure by Inspector.
- 34 Arrest without order or warrant.
- 35 Institution of proceedings.
- 36 Jurisdiction of magistrates.
- 37 Bar of claim to compensation.
- 37A. Delegation.
- 38 Power of State Government to make regulations and rules.
- 39 Power to make regulations and rules subject to previous publication.
- 40 Protection to persons acting under this Act.

APPENDIX I.

Schedule of diseases referred to in section 4 of the Livestock and Birds' Diseases Act, 1948.

**¹ THE PUNJAB LIVESTOCK AND BIRDS'
DISEASES ACT, 1948.**

EAST PUNJAB ACT NO. 47 OF 1948.

*[Received the assent of His Excellency the Governor on the
15th November, 1948, and was first published in the East Punjab Government Gazette
(Extraordinary), of November 20, 1948.]*

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1948	47	The Punjab Livestock and Birds' Diseases Act, 1948.	Amended in part by the Adaptation of Laws Order, 1950 Extended to the territories which immediately before the 1 st November, 1956 were comprised in the State of Patiala and East Punjab States Union by Punjab Act 5 of 1959 ² Amended by Punjab Act 33 of 1961 ³ Amended by Punjab Act 25 of 1964 ⁴ Amended by the Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968 ⁵

¹ For Statement of Objects and Reasons, *see* East Punjab Government Gazette (Extraordinary), 1948, page 262. For the Select Committee's Report, *see* East Punjab Government Gazette, 1948, Part 5 Pages 8-18. For proceedings in the Assembly, *see* East Punjab Legislative Assembly Debates, 1948, Volume 2, pages 876 and 925-40 and Volume 3, 1948, pages 204-206.

² For Statement of Objects and Reasons, *see* Punjab Government Gazette (Extraordinary), 1958, page 1987.

³ For Statement of Objects and Reasons, *see* Punjab Government Gazette (Extraordinary), 1961, page 173.

⁴ For Statement of Objects and Reasons, *see* Punjab Government Gazette (Extraordinary), 1964, pages 935-937.

⁵ *See* Haryana Government Gazette (Extraordinary), dated the 29th October, 1968, page 531-567.

An Act to provide for the prevention and control of
[diseases affecting live stock and birds]

Whereas it is expedient to provide for the prevention and control of
¹[diseases affecting livestock and birds]; it is hereby enacted as follows:

CHAPTER I-PRELIMINARY.

Short title,
extent and
commencement.

1. ²[(1) This Act may be called the Punjab Livestock and Birds' Diseases Act, 1948.]

(2) It extends to the whole of the ³[State] of ⁴[Haryana].

⁵[(3) This section shall come into force at once in the principal territories and the State Government may by notification bring the rest of the Act, or any part of it, into force therein or in any area thereof on such date and for such period as may be specified in the notification, and in the transferred territories this Act shall come into force on the 27th January, 1959.]

Power to
exempt areas
from the
provisions of
this Act.
Definitions.

2. Notwithstanding anything contained in section 1, the ⁶[State] Government may by notification exempt an area from any or all of the provisions of this Act, or direct that any provision of this Act shall apply to any area with such modifications as may be specified.

3. In this Act, unless there is anything repugnant in the subject or context: —

⁷[(a) 'livestock' means all domesticated animals maintained on farms or by individuals including horses, donkeys, mules, elephants, cattle, buffaloes, goats, sheep, dogs, cats or such other animals as may from time to time be specified by the State Government by notification;

(aa) 'bird' means a domesticated fowl, goose or chick, and includes such other bird as may from time to time be specified by the State Government by notification;

(b) 'an infective' ⁸[livestock or birds'] is one which is affected with a scheduled disease or has recently been in contact with or in close proximity to ⁸[livestock or bird] so affected;

(c) 'prescribed' means prescribed by regulations or rules made under this Act;

(d) 'scheduled disease' means any disease for the time being included in the schedule in Appendix I.

¹ Substituted for the words "contagious disease affecting animals" by Punjab Act 33 of 1961, section 2.

² Substituted for old sub-section (1) by *ibid*.

³ Substituted for the word "Province" by the Adaptation of Laws Order, 1950.

⁴ Substituted for the word "Punjab" by the Haryana Adaptation of Laws Order, 1968.

⁵ Old sub-section (3) of section 1 substituted by the Haryana Adaptation of Laws Order, 1968.

⁶ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

⁷ Substituted for old clause (a) by Punjab Act 33 of 1961, section 5.

⁸

Scheduled diseases.

4. The diseases specified in the Schedule in Appendix I shall in the first instance be scheduled diseases for the purpose of this Act, but the ¹[State] Government may, by notification —

- (a) delete any entry from the Schedule, or
- (b) include in the Schedule any communicable disease of ²[livestock or birds] to which it is expedient in their opinion that the provisions of this Act should apply.

Veterinary Surgeons.

5. (1) The ¹[State] Government may either by name or designation appoint any person holding the office of Veterinary Assistant or Veterinary Assistant Surgeon, or any graduate of a recognised veterinary college whom they think fit to be a Veterinary Surgeon for the purposes of this Act, and may define the area within which he shall exercise the powers and perform the duties of a Veterinary Surgeon under this Act.

(2) A Veterinary Surgeon shall have all the powers of an Inspector under this Act, and may exercise such powers concurrently with his powers as Veterinary Surgeon.

Inspectors.

6. The ¹[State] Government may either by name or designation appoint any person it thinks fit to be an Inspector for any or all of the purposes of this Act, and may define the area within which he shall exercise the powers and perform the duties incidental to such purposes.

Status of Veterinary Surgeons and Inspectors.
Power of Inspectors.

7. Any person appointed under section 5 or section 6 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

8. An Inspector may, subject to any rules made in this behalf by the ¹[State] Government, enter and inspect any land or building or other place or any vessel or vehicle, for the purpose of exercising the powers of performing the duties conferred and imposed on him by or under this Act.

CHAPTER II-THE CONTROL OF DISEASE.

Power to regulate inter-State trade and to control transport of animals and things which may spread diseases.

9. (1) The ¹[State] Government for the purpose of preventing the outbreak or spread of any scheduled disease, may, by notification prohibit or regulate in such manner and to such extent as they may think fit —

- (a) the bringing or taking into the ³[State] of ⁴[Haryana] or any specified place therein of any ⁵[livestock or birds] alive or dead or of any parts of ⁵[livestock or birds] or of any kind of fodder, bedding or other thing which may, in their opinion, carry infection;
- (b) the removal from any specified part of the ³[State] of ⁴[Haryana] of any such parts of ⁵[livestock or birds], or things.

¹ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

² Substituted for the words "animal" and "an animal" by Punjab Act 33 of 1961, section 4.

³ Substituted by Adaptation of Laws Order, 1950, for "Province."

⁴ Substituted for the word "Punjab" by the Haryana Adaptation of Laws Order, 1968.

⁵ Substituted for the word "Animals" by Punjab Act 33 of 1961, section 4.

(2) The ¹[State] Government may, by notification, specify the season or seasons during which and the route or routes by which ²[livestock or birds] may be imported into the ³[State] and no person shall import ²[livestock or birds] into the ⁴[State] otherwise than during the season and by the route so appointed.

(3) The ¹[State] Government may establish quarantine stations for the inspection and detention of such ²[livestock or birds] along the route appointed under sub-section (2).

(4) The period of detention of ²[livestock or birds] at a quarantine station for the purpose of inspection, vaccination, if necessary, marking and issuing of a permit for the release of ²[livestock or birds] from the station shall be such as may be prescribed by the ¹[State] Government.

(5) The ²[livestock or birds] so detained shall remain under the care of the person incharge who shall be responsible for their feeding and unkeep and for the payment of fee for their vaccination and marking as may be prescribed by the ¹[State] Government.

Power to control the holding of markets.

10. The ¹[State] Government, for the purpose of preventing the outbreak or spread of any scheduled disease, may, by notification, prohibit or regulate, in such manner and to such extent as it may think fit, the holding of ⁵[markets, fairs, exhibitions or other concentrations of livestock or birds] in any specific area.

Power to control traffic in infective ²[live stock or birds].

11. The ¹[State] Government may by regulation prohibit or limit the sale of or other traffic in infective ⁶[livestock or birds], or in the carcasses of ⁶[livestock or birds] which at the time of their death were infective or in any parts of such ⁶[livestock or birds], or litter, feeding utensils or other things which may carry infection.

Cleansing and disinfection of vessels and vehicles.

12. (1) Every vessels or vehicle used by a common carrier for the transport of ⁶[livestock or birds] shall be cleansed and disinfected periodically in such manner as the ¹[State] Government may by regulations prescribe.

(2) The ¹[State] Government may appoint places, where an Inspector may detain and inspect any such vessel or vehicle and, if it is not in a sanitary condition, the Inspector may require it to be cleansed and disinfected in the manner prescribed within such time as he may appoint.

(3) If such vessel or vehicles is not so cleansed and disinfected within the appointed time the Inspector may cause it to be cleansed and disinfected at the expense of its owner.

(4) This section shall not apply to the rolling stock of any railway or any aircraft.

¹ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

² Substituted for the word "Animals" by Punjab Act 33 of 1961, section 4.

³ Substituted for "Province" by Adaptation of Laws Order, 1950.

⁴ Substituted for the word "Punjab" by the Haryana Adaptation of Laws Order, 1968.

⁵ Substituted for the words "animal markets, animal fairs, animal exhibitions or other concentrations of animals" by Punjab Act 33 of 1961, section 6.

⁶ Substituted for the words "animal" and "animal" by Punjab Act 33 of 1961, section 4.

Duty of certain persons to report scheduled diseases.

13. Every owner or person in charge of, every person bringing into the ¹[State] of ²[Haryana] and every veterinary practitioner who has been called to treat, a ³[livestock or bird] which he has reason to believe to be infective shall forth with report the fact to the Inspector exercising powers in the area.

Power of Veterinary Surgeon to hold postmortem.

14. Subject to such rules as may be made in this behalf by the ⁴[State] Government, the Veterinary Surgeon may make or cause to be made a post-mortem examination of ⁵[livestock or bird] which at the time of its death was infective, or is suspected to have been then infective and for this purpose he may cause the carcass of any such ⁵[livestock or bird] to be exhumed.

Power to isolate infective animals.

15. (1) Where an Inspector has reason to believe that any ⁵[livestock or bird] is infective he may, by order in writing, direct the owner or person in charge of such ⁵[livestock or bird] 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 and within such period as may be specified in the order:

Provided that where there is no person in charge of the ⁵[livestock or bird], and the owner is unknown or the order cannot be communicated to him without undue delay or the person in charge of the ⁵[livestock or bird] refuses to do as ordered above the Inspector may seize the ⁵[livestock or bird] and remove it to a place of isolation or segregation.

(2) The Inspector shall forthwith report every order of seizure under this section to the Veterinary Surgeon.

Examination by the Veterinary Surgeon.

16. On receipt of a report under sub-section (2) of section 15 the Veterinary Surgeon shall examine the ⁵[livestock or bird] as soon as possible and may also examine all ⁵[livestock or bird] which it has been in contact with or in close proximity to, and for this purpose may submit any ⁵[livestock or bird] to any test which the ⁴[State] Government may by regulations prescribe in this behalf.

Action after examination by the Veterinary Surgeon.

17. (1) If, after such examination the Veterinary Surgeon is of opinion that any ⁵[livestock or bird] is not infective, the Inspector shall forthwith return it to the person who in his opinion is entitled to possession of it:

Provided that where such person cannot without undue inconvenience be found, the Inspector shall send the ⁵[livestock or bird] to the nearest cattle pound, or deal with it in such other manner as the ⁶[State] Government may by rules prescribe in this behalf.

(2) If, after such examination, the Veterinary Surgeon certifies in writing that any ⁷[livestock or bird] is affected with a scheduled disease,

¹ Substituted by Adaptation of Laws Order, 1950, for "Province."

² Substituted for the word "Punjab" by the Adaptation of Laws Order, 1968.

³ Substituted for the words "animal" and "animal" by Punjab Act 33 of 1961, section 4.

⁴ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

⁵ Substituted for the word "Animal" by Punjab Act 33 of 1961.

⁶ Substituted for the word "Local" by the Punjab Act 33 of 1961, section 7.

⁷ Substituted by Punjab Act 33 of 1961, section 4.

deal with it in such other manner as the ¹[State] Government may by rules prescribe in this behalf.

(3) If, after such examination, the Veterinary Surgeon certifies that the ¹[livestock or bird] is infective though not diseased, the ¹[livestock or bird] shall be dealt within such manner as the ¹[State] Government may, by rule, prescribe in this behalf.

Compensation for ²[livestock or bird] destroyed.

18. Compensation may be paid to the owner of a ¹[livestock or bird] if destroyed under section 17, and such compensation shall be determined in accordance with rules to be made in this behalf by the ²[State] Government:

Provided that —

- (i) no compensation shall be paid to any person convicted of any offence punishable under this Act, committed in respect of such ¹[livestock or bird];
- (ii) no compensation shall be paid in respect of any ¹[livestock or bird] which, when it was brought in to the ³[State] of ⁴[Haryana], was affected with the disease on account of which it was destroyed.

Power to require disinfection of infected premises vessels or vehicles.

19. (1) Subject to rules to be made in this behalf by the ²[State] Government, the veterinary Surgeon may, by order in writing, require the owner, occupier or person in charge of any building, yard, vessel or vehicle in which there has been an infective ¹[livestock or bird] to have such building, yard vessel or vehicle disinfected, and the internal fittings thereof and other things found therein or near thereto be disinfected or destroyed in such manner and to such extent as may be specified in the order.

(2) Subject as aforesaid, if such owner, occupier or person fails to comply with the requirement of such order within a reasonable time, the Inspector may cause order within a reasonable time, the Inspector may cause such building, yard, vessel or vehicle to be disinfected, and the internal fittings and other things to be disinfected or destroyed at the expense of the owner.

Declaration of private infected places.

20. (1) If the Inspector has reason to believe that there is an infective ¹[livestock or bird] in any field, yard or building in which ¹[livestock or birds] are kept, temporarily or otherwise, he shall at once by order in writing, declare the place to be an infected place and shall deliver a copy of the order to the owner, occupier or person in charge of the place and report his action to the Veterinary Surgeon.

(2) This section shall not apply to any place owned by or under the control or management of any local authority or railway administration or

¹ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

² Substituted for the word "Local" by the Punjab Act 33 of 1961, section 7.

³ Substituted for the word "Province" by the Adaptation of Laws Order, 1950.

⁴ Substituted for the word "Punjab" by the Adaptation of Laws Order, 1968.

to any airfield where ¹[livestock or bird] are temporarily kept for sale, exhibition or in transit.

Examination of
infected place
by Veterinary
Surgeons.

21. (1) The Veterinary Surgeon shall, as soon as possible, examine the infected place and the ¹[livestock or bird] kept therein, and may cancel or confirm the order of the Inspector.

(2) If he confirms the order he may cause notice to be served on the owners, occupiers or persons in charge of all places in which ¹[livestock or bird] are kept temporarily or otherwise, within a radius not exceeding one mile from the infected place, declaring such places to be infected places.

The Veterinary Surgeon shall forthwith report his action under this sub-section to the authority prescribed by the ²[State] Government in this behalf.

Declaration of
public infected
places.

22. (1) Where the Veterinary Surgeon has reason to believe that infective ¹[livestock or bird] are or have been in any place owned, controlled or managed by any local authority, or railway administration or aircraft company where ¹[livestock or birds] are temporarily kept for purposes of sale, transit or exhibition, he may, by order in writing, declare such place to be an infected place.

(2) The Veterinary Surgeon shall cause a copy of such order, in the vernacular of the locality, to be exhibited prominently in the infected place, and he shall deliver copies at the office of the local authority, or to the nearest station master of the railway administration, or to the officer-in-charge of the air-field, as the case may be, and shall also send a copy to the nearest police station; and he shall report his action forthwith to the authority prescribed by the ²[State] Government in this behalf.

Declaration of
infected areas
by the State
Government.

23. (1) On receipt of the report of the Veterinary Surgeon under sub-section (2) of section 21 or under sub-section (2) of section 22 and after such further inquiry, if any, as it may think fit, the ²[State] Government —

(a) may cancel any declaration made under sections 20, 21 or 22; or

(b) may confirm such declaration either with or without modifications.

(2) Where the ²[State] Government cancels any declaration, the Inspector shall give notice of the cancellation to all persons to whom copies of such declaration were delivered or on whom notices of such declaration were served.

(3) Where the ²[State] Government confirms such declaration either with or without modifications the ²[State] Government shall, by notification defining the limits of the area to which the notification shall apply, declare such area to be an infected area.

(4) On the issue of such notification any place declared by the Inspector or Veterinary Surgeon to be an infected place and not included

¹ Substituted by the Punjab Act 33 of 1961, section 4.

² Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

in the infected area so defined shall cease to be an infected place, and the Inspector shall give notice accordingly to the owner, occupier or person in charge of such place.

(5) The Inspector shall cause to be exhibited in some prominent place in the infected area and in the vernacular of the area, a copy of the notification under sub-section (3), and shall also cause to be so exhibited a copy of any subsequent notification adding to, amending varying or rescinding such notification.

Removal of livestock or bird and other things from infected areas or places.

24. (1) No person shall remove from any infected area or place any ¹[livestock of birds], dead or alive, or any part of an ¹[livestock or birds], or any fodder, bedding or other thing used in connection with ¹[livestock or birds], save in accordance with the conditions of a licence granted by the Inspector.

(2) Nothing in this section shall prevent the transit by railway through an infected area or place of any ¹[livestock or birds] or thing:

Provided that where any ¹[livestock or birds] or other thing described in sub-section (1) while in transit through an infected area or places is unloaded therein, it shall not be removed therefrom save in accordance with sub-section (1).

Power to return livestock or birds etc., to infected areas.

25. Where any animal or thing is removed from an infected area or place otherwise than in accordance with a licence granted under section 24, any Inspector or police officer may require the owner or person in charge of such ¹[livestock or birds] or thing to return it to such area or place, and if the owner or person incharge fails to do so within a reasonable time, may cause it to be returned at the expense of the owner without further delay:

Provided that nothing in this section shall affect the powers of an Inspector under section 15 to deal with infective ¹[livestock or birds].

Time for complying with and enforcement of Orders.

26. Where by any notice, requisition, or order under this Act or under any notification or rule issued thereunder any person is required to take any measures or to do anything in respect of any property owned or occupied by him or in his charge, a reasonable time shall be specified in such notice, requisition or order within which such measures shall be taken or such thing shall be done, as the case may be.

Recovery of expenses incurred under this Chapter.

27. Where any action may be taken under this Chapter in respect of any property at the expense of the owner thereof, the officer taking such action may frame a certificate stating the amount of the expense incurred and the person from whom such amount is recoverable, and any Magistrate to whom such certificate is presented may after such inquiry as he may think fit, recover such amount as if it were a fine imposed by him on such person.

CHAPTER III-PENALTIES AND PROCEDURE.

Penalties for

28. Whoever —

¹ Substituted by Punjab Act 33 of 1961, section 4.

contraventions
of Acts,
Regulations and
Rules.

- (a) removes from any part of the ¹[State] of ²[Haryana] any ³[livestock or bird], alive or dead, or any part of an ³[livestock or bird], or any fodder, bedding or other thing in contravention of a notification issued under section 9, or imports ³[livestock or bird] in contravention of sub-section (2) of that section;
- (b) holds or promotes or takes part in any market, fair exhibition or other concentration of ³[livestock or birds] in contravention of a notification issued under section 10;
- (c) sells or otherwise traffics in, or attempts to sell or traffic in, infective ³[livestock or bird], or in anything mentioned in section 11 which may carry infection, or the carcass of a ³[livestock or birds] which at the time of its death was infective in contravention of section 11;
- (d) being a common carrier fails to cleanse or disinfect any vessel or vehicle used for the transport of ³[livestock or bird] in such manner as may be required under sub-section (1) of section 12 or as may be required by the Inspector under sub-section (2) of that section;
- (e) fails in contravention of section 13, to report that a ³[livestock or bird] is infective;
- (f) fails to comply with an order made by an Inspector under sub-section (1) of section 15;
- (g) fails to comply with an order made by the Veterinary Surgeon under sub-section (1) of section 19;
- (h) removes any ³[livestock or bird] or thing from any infected place in contravention of section 24;

shall be punished with fine which may extend in the case of a first conviction, to one hundred rupees and, in the case of a second or subsequent conviction, to five hundred rupees.

Penalty for
keeping or
grazing
infective
³[livestock or
bird] in
unenclosed
land.

29. Whoever keeps or grazes in or on any forest, open field, roadside, or other unenclosed land to which other persons have a right of access for their ³[livestock or birds] any ³[livestock or birds] which he knows to be infective shall be punishable with fine which may extend in the case of a first conviction to one hundred rupees in the case of a second or subsequent conviction to five hundred rupees.

Penalty for
bringing
infective
³[livestock or
bird] to market.

30. Whoever bring or attempts to bring into any market, fair, exhibition or other concentration of ³[livestock or bird], any ³[livestock or bird] which he knows to be infective shall be punishable with fine which may extend in the case of a first conviction to one hundred rupees or in the case of a second or subsequent conviction to five hundred rupees.

Penalty for
placing carcass

31. Whoever places, or causes or permits to be placed, in any river, or other water, the carcass or part or part of the carcass of any ¹[livestock

¹ Substituted by Punjab Act 33 of 1961, section 4.

² Substituted for the word "Punjab" by the Adaptation of Laws Order, 1968.

³ Substituted by Punjab Act 33 of 1961, section 4.

of infective
¹[livestock or
 bird] animal in
 river.

or other water, the carcass or part or part of the carcass of any ¹[livestock or birds] which at the time of its death was infective or which has been destroyed as being infective or suspected or being infective shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend in the case of a first conviction to one hundred rupees or in the case of a second or subsequent conviction to five hundred rupees, or with both imprisonment and fine.

Penalty for
 disinterring
 carcass of
 diseased
¹[livestock and
 bird]

32. Whoever, without lawful authority, disinters or causes to be disinterred the carcass or part of the carcass of any ¹[livestock or bird] which at the time of its death was infective or which has been destroyed as being infective or suspected of being infective shall be punishable with fine which may extend in the case of a first conviction to one hundred rupees or in the case of a second or subsequent conviction to five hundred rupees.

Penalty for
 malicious and
 vexatious entry
 or seizure by
 Inspector.

33. Whoever being an Inspector maliciously and vexatiously enters or inspects any land or building or other place or any vessel or vehicle or seizes or detains any ¹[livestock or birds], shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees, or with both.

(2) No prosecution under this section shall be instituted after the expiry of one month from the date on which the offence is alleged to have been committed.

Arrest without
 order or
 warrant.
 Institution of
 proceedings.

²[34. * * * * *]

35. No prosecution under this Act, except under section 33 shall be instituted except by or under the authority of the Veterinary Surgeon ³[or the Inspector].

Jurisdiction of
 magistrates.

36. No magistrate shall try any offence under this Act unless he is a ⁴[Judicial Magistrate of the first class, or a Judicial Magistrate of the second class specially empowered in this behalf by the High Court].

Bar of claim to
 compensation.

37. Save as provided for in section 18 no person shall be entitled to any compensation in respect of the destruction of any ¹[livestock or bird] and thing or in respect of any other loss, injury, detriment or inconvenience caused to him by reason of anything done under this Act in good faith.

Delegation.

⁵[37-A. The Government may, by notification, delegate all or any of its powers under this Act to any of its officers.]

Power of State
 Government to

38. (1) The ⁶[State] Government may make ¹rules consistent with this Act for all or any of the following purposes, namely: —

¹ Substituted by Punjab Act 33 of 1961, section 4.

² Section 34 omitted by the Punjab Act 33 of 1961, section 8.

³ Added by the Punjab Act 33 of 1961, section 9.

⁴ Substituted by the Punjab Act 25 of 1964.

⁵ Section 37-A, added by *ibid*, section 10.

⁶ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

Government to make regulations and rule.

- (a) to define the powers of entry and inspection of an Inspector under section 8;
- (b) to prohibit or regulate the holding of markets, fairs, exhibitions or other concentrations of ²[livestock or bird] under section 10;
- (c) to appoint places for the disinfection of vessels or vehicles under sub-section (2) of section 12, and for the isolation or segregation of ³[livestock or bird] under section 15;
- (d) to regulate post-mortem examination of ³[livestock or bird] under section 14, and the disposal of ³[livestock or bird] under sub-sections (1), (2) and (3) of section 17;
- (e) to provide for the determination of the compensation payable under section 18;
- (f) to regulate the exercise of the powers of the Veterinary Surgeon and Inspector under section 19;
- (g) to prescribe the authority referred to in sub-section (2) of section 21 and sub-section (2) of section 22;
- (h) to prescribe the form and contents of the licences to be granted by an Inspector under section 24 and the circumstances under which they may be granted;
- (i) to prescribe scales of charges to be followed in certificates under section 27 for expenses incurred on behalf of an owner;
- (j) to regulate the isolation, detention, treatment (including sterilization and inoculation), and disposal of ³[livestock or birds] which are infective or suspected of being infective, and the disposal of carcasses and parts of carcasses;
- (k) to regulate the duties and powers of Inspectors and prescribe their qualifications;
- (l) to prescribe the manner in which any report or notice under the Act shall be made or given; or
- (^m) to prohibit or regulate the entry into the ³[State] of ⁴[Haryana] or any specified part or place thereof, and the movement from one place to another, in the ⁴[State] of ⁵[Haryana] of ³[livestock or birds] alive or dead, or parts of ³[livestock or birds] or fodder, bedding or other thing;
- (n) to prohibit or limit sale or traffic in infective ⁵[livestock or birds] or carcasses of infective ¹[livestock or birds];

¹ For rules, *see* Punjab Government Notification No. 2595-Vety-51, 1534, dated 18th August, 1953, contained in Punjab Government Gazette, 1953, Part I, pp. 739-46.

² Substituted by Punjab Act 33 of 1961, section 4.

³ Substituted for the word "Province" by the Adaptation of Laws Order, 1950.

⁴ Substituted for the word "Punjabi" by the Haryana Adaptation of Laws Order, 1968.

⁵ Substituted by Punjab Act 33 of 1961, section 4.

- (o) to regulate the disinfection of vessels or vehicles used by common carriers, the cleansing and disinfection of buildings, yards and other places used for ¹[livestock or birds] and the destruction of infected matter or things found therein or near thereto;
- (p) to prescribe the tests to be applied to ¹[livestock or birds] suspected of being infective;
- (q) to prescribe the manner in which ¹[livestock or birds] shall be destroyed, and the manner in which carcasses or parts of carcasses, fodder, bedding or other things seized under the Act shall be disposed of; and
- (r) to prescribe the period of detention and the amount of fee for vaccination and marking at the inter ¹[State] quarantine stations.

(2) In making a rule under this section the ²[State] Government may direct that a breach of it shall be punishable with fine which may extend in the case a first conviction to one hundred rupees or in case of a second or subsequent conviction to five hundred rupees.

Power to make regulations and rules subject to previous publication.

39. (1) The power to make regulations and rules conferred by this Act is given subject to the condition of the regulations or rules being made after previous publication.

(2) All regulations and rules made by the ²[State] Government under this Act shall be published in the official Gazette.

Protection to persons acting under this Act.

40. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

¹ Substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

APPENDIX I
SCHEDULE OF DISEASES REFERRED TO IN SECTION 4 OF THE
¹[LIVESTOCK AND BIRDS] DISESES ACT, 1948.

English names	Vernacular names.
1	2
1. Rinderpest of Cattle Pague.	1. Mata, Wah, Sitla Mok, Zehmat.
2. foot-and-Mouth Disease	2. Rora, Mun-Khur.
3. Haemorrhagic Septicaemia.	3. Gal-Ghotu Garhi.
4. Blackquarter.	4. Phar, Suja.
5. Anthrax.	5. Sat, Goli.
6. Tuberculosis	6. Tap-I-Dik.
7. Johne's Disease.	7. Purana Dust.
8. Glanders and Farcy.	8. Bad Kanar.
9. Epizootic Lymphangitis.	9. Zeharbad.
10. Dourine.	10. Atshik-I-Aspan.
11. Rabies.	11. Halkapan, Bawalpan, Pagalpan.
12. Surra.	12. Pheta, Tebersa, or Sokra.

¹ Substituted by Punjab Act 33 of 1961, section 4.