

Kerala Gazette No. 40 dated 9th October 1962.

PART I

NOTIFICATION—II

G. O. (MS) 760/62/DD.

Dated, Trivandrum, 6th October 1962.

S. R. O. No. 297/62 In exercise of the powers conferred by subsection (1) of section 32 of the Kerala Cattle Trespass Act, 1961 (Act 26 of 1961), the Government of Kerala hereby make the following rules:—

THE KERALA CATTLE TRESPASS RULES, 1962.

1. *Short title and commencement.*—(i) These Rules may be called the Kerala Cattle Trespass Rules, 1962.

(ii) They shall come into force with effect from 1-11-1962.

2. *Definitions.*—In these rules unless there is anything repugnant in the subject or context,—

(a) 'Act' means the Kerala Cattle Trespass Act, 1961 (Act 26 of 1961).

(b) 'Executive Authority' means in the case of a Municipality or Corporation, the Commissioner, in the case of a Township, the Executive Officer of the Township, and in the case of a Panchayat the executive authority as defined in the Kerala Panchayat Act, 1960 (Act 32 of 1960).

(c) 'Local area' means the area within the jurisdiction of a local authority.

3. (a) A local authority may resolve to establish sufficient number of pounds within its area and recommend to the Director, convenient places where pounds can be established for the purposes of the Act within its local area.

(b) The Director may in establishing pounds and determining the area by which each pound is to be used under section 3 of the Act within a local area give preference to places recommended for the purpose by a local authority.

4. A pound shall have a minimum ground space of 2 cents and shall be fenced properly so as to avoid escape of the cattle impounded.

5. (a) There shall be a roofed shed inside the pound to accommodate at least ten numbers of different types of cattle at a time.

(b) The floor of the shed shall be so constructed as to drain away all kinds of liquid matter that fall on it.

(c) The pound-keeper shall keep the floor of the shed always clean.

6. The cattle shall be tied in the shed in such manner as to avoid tussle among themselves.

G. 3367

7. The pound-keeper shall be on duty at the pound between the hours fixed by the Local Authority concerned.

8. (a) The working hours of the pound shall be notified in the Notice Board in front of the pound.

(b) Cattle shall be impounded or discharged from the pound during the working hours.

9. The pound-keeper shall maintain a register of cattle impounded in Form No. I appended to these rules.

10. The pound-keeper shall also maintain a cash book showing the daily money transactions in Form No. II appended to these rules.

11. The pound-keeper shall give a true copy of the entry made in respect of every animal in the register of cattle impounded to the person who entrusted the cattle to the pound-keeper for being impounded. The copy of extract shall be duly attested by the pound-keeper.

12. The pound-keeper shall give receipt in Form III for all the amounts received by him by way of fines and maintenance charges of cattle.

13. The pound-keeper shall remit daily receipts from the pound to the funds of the Local Authority in accordance with the directions issued by the Executive Authority from time to time.

14. The pound-keeper shall not receive from any person any amount other than the fines and charges for feeding and watering cattle at the rates prescribed and notified in this behalf.

15. The pound-keeper shall submit to the Executive Authority at the close of every day a statement in Form No. IV furnishing the details regarding the number and nature of cattle impounded, fines and charges collected for feeding and watering cattle, expenditure incurred for the maintenance of cattle and the amount required for the next day for maintaining the cattle in the pound.

16. The maintenance charges of the cattle in the pound and the salary of the pound-keeper shall be met from the funds of the local authority.

17. (a) The Executive Authority shall entrust to the pound-keeper the amount required for a day for the maintenance of the cattle in the pound after getting necessary acknowledgment for the amount from the pound-keeper.

(b) The acknowledgment shall be cancelled or returned to the pound-keeper after ensuring that the amount paid to the pound-keeper has been properly utilised.

18. The Executive Authority shall inspect the pounds in the local area as often as possible, check the accounts, and verify the number of cattle in the pound with the number shown in the register and accounts maintained for the purpose.

19. The Executive Authority may give directions to the pound-keeper regarding the mode of purchase of food materials etc. for feeding and watering the cattle in the pound and the pound-keeper shall abide by such directions.

20. (1) The President of a Panchayat, the Chairman of a Municipality or the Mayor of a Corporation may inspect the pounds within his jurisdiction and issue directions to the Executive Authority to take appropriate steps to set right the irregularities or rectify the defects if any found during such inspection.

(2) The members of Panchayats, or Councillors of Municipalities or Corporations may, if so required by the President, Chairman or Mayor inspect the pound or pounds in their respective Wards and furnish reports to the President, Chairman or Mayor concerned.

21. The Director or any other officer authorised by him in this behalf may inspect any pound established under the Act and whenever it is deemed necessary check and verify the registers, accounts, etc. kept by the pound-keeper.

22. Save as otherwise expressly provided in these rules, the pound-keeper shall be governed by the rules relating to the employees of the local authority concerned in respect of conditions of service and disciplinary control.

23. The pound-keeper shall be liable for any loss caused to the local authority concerned by his negligence or any of his actions and the local authority may recover from the pound keeper such amount of loss in the manner prescribed for the recovery of other dues to the local authority.

By order of the Governor,
S. ANANTAKRISHNAN,
Additional Secretary.

**Appendix
FORM I
(Rule 9)**

(1) Sl. No.	(2) Description of cattle.	(3) Date and hour of impounding.	(4) Name and residential address of the seizer.	(5) The name and residential address of the owner if known.	(6) Signature of the seizer.	(7) If returned the date and hour at which the cattle is returned.	(8) The name and address of the owner or his agent to whom the cattle is returned.	(9) Signature of the owner or his agent who takes charge of the cattle.	(10) Remarks.

**FORM II
(See Rule 10)**

Date.	Receipt No.	Voucher No.	Particulars of receipts or payments.	Receipts.	Payments.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Rs. nP. Ra. nP.

G. 367

FORM No. III
 (See Rule 12)
CATTLE POUND

Counterfoil.

Receipt for Fines and Feeding Charges paid.

Receipt No. Dated 19
 Received Rs. nP. only as specified below.

Description of Animals	Number	Amount Collected		Name and residence of releaser	Reference to number in Form No. I.	
		Fines	Feeding Charges			
		Rs.	nP.	Rs.	nP.	
Total						

Date and hour of impounding.....
 Hour of Release.....
 Name of Pound.....
 Rate of Fine, ordinary or enhanced.

Pound-keeper.

FORM No. III
 (See Rule 12)
CATTLE POUND

Duplicate.

Receipt for Fines and Feeding Charges paid.

Receipt No. Dated 19
 Received Rs. nP. only as specified below.

Description of Animals	Number	Amount Collected		Name and residence of releaser	Reference to number in Form No. I.	
		Fines	Feeding Charges			
		Rs.	nP.	Rs.	nP.	
Total						

Date and hour of impounding.....
 Hour of Release.....
 Name of Pound.....
 Rate of Fine, ordinary or enhanced.

Pound-keeper.

FORM IV.
(Rule 15.)

Date	No. of cattle in the Pound	Nature & particulars of the cattle in the pound.	Amount received from Executive authority for the day's Expenses.	Amount of maintenance charges collected.	Amount of fine collected.	Total of Col. 4 to 6.	Expenditure for the day.	Balance to be remitted to Pauchayat Fund.	Remarks.	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

* Note—The details of expenditure to be furnished in a separate sheet along with this statement.