



The Gujarat Animal Preservation (Amendment) Act, 2011

Act 28 of 2011

Keyword(s):

Animal Preservation, Animals, Preservation, Endangered, Extinct

Amendment appended: 18 of 2017

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.



The Gujarat Animal Preservation (Amendment) Act, 2011

Act 28 of 2011

Keyword(s):

Animal Preservation, Animals, Preservation, Endangered, Extinct

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LII] WEDNESDAY, OCTOBER 12, 2011/ASVINA 20, 1933

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 11th October, 2011, is hereby published for general information.

C. J. GOTHI,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 28 OF 2011.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 12th October, 2011).

AN ACT

further to amend the Gujarat Animal Preservation Act, 1954.

It is hereby enacted in the Sixty-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Animal Preservation (Amendment) Act, 2011. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Bom. LXXII of 1954. 2. In the Gujarat Animal Preservation Act, 1954 (hereinafter referred to as "the principal Act"), after section 6, the following new sections shall be inserted, namely:- Insertion of new sections 6A and 6B in Bom. LXXII of 1954.

Prohibition against transportation of specified animals for slaughter.

“6A. (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 State to any another place within the State 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 State Government 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 sub-section (1A) of section 5 from any place within the State to any another place within the State.

(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.

(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 State Government may appoint in this behalf.

(4) The vehicle or conveyance so seized under sub-section (3) shall not be released by the order of the court on bond or surety before the expiry of six months from the date of such seizure or till the final judgment of the court, whichever is earlier.

**Prohibition
against selling
or buying beef
or beef
products.**

6B. (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 State Government may appoint in this behalf.

(3) The vehicle or conveyance so seized under sub-section (2) shall not be released by the order of the court on bond or surety before the expiry of six months from the date of such seizure or till the final judgment of the court, whichever is earlier.

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

Substitution of section 8 of Bom. LXXII of 1954. 3. In the principal Act, for section 8, the following section shall be substituted, namely:-

- Penalties.** “8. (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 seven years but shall not be less than three years and with fine which may extend to fifty thousand 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 three years and with fine which may extend to twenty-five thousand rupees.”

Amendment of section 15 of Bom. LXXII of 1954. 4. In the principal Act, in section 15, -

(i) in sub-section (2), after clause (c), the following clause shall be inserted, namely :-

“(cc) the form of application, the form of permit, the fees to be paid and conditions for granting permit under section 6A;”;

(ii) to sub-section (3), the following proviso shall be added, namely :-

“Provided that if the State Government 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.”



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LVIII | WEDNESDAY, APRIL 12, 2017/CAITRA 22, 1939

Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 12th April, 2017 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 18 OF 2017.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 12th April, 2017).

AN ACT

further to amend the Gujarat Animal Preservation Act, 1954.

It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Animal Preservation (Amendment) Act, 2017.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

- Amendment of section 6A of Bom. LXXII of 1954.** 2. In the Gujarat Animal Preservation Act, 1954 (hereinafter referred to as "the principal Act"), in section 6A, for sub-section (4), the following sub-section shall be substituted, namely:-
- “(4) The vehicle or any conveyance so seized under sub-section (3) shall stand forfeited to Government in the manner as may be prescribed.”
- Amendment of section 6B of Bom. LXXII of 1954.** 3. In the principal Act, in section 6B, for sub-section (3), the following sub-section shall be substituted, namely:-
- “(3) The vehicle or any conveyance so seized under sub-section (2) shall stand forfeited to Government in the manner as may be prescribed.”
- Amendment of section 8 of Bom. LXXII of 1954.** 4. In the principal Act, in section 8,
- (1) in sub-section (2), for the words “seven years but shall not be less than three years and with fine which may extend to fifty thousand rupees”, the words “imprisonment for life but shall not be less than ten years and with fine which may extend to five lac rupees but shall not be less than one lac rupees” shall be substituted.
- (2) in sub-section (4), for the words “imprisonment for a term which may extend to three years and with fine which may extend to twenty five thousand rupees”, the words “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 lac rupees but shall not be less than one lakh rupees” shall be substituted.
- Substitution of section 9 of Bom. LXXII of 1954.** 5. In the principal Act, for section 9, the following section shall be substituted, namely:-
- “9. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Act shall be cognizable and non-bailable.”
- Offences under the Act to be cognizable and non-bailable.** 2 of 1974.
- Amendment of section 15 of Bom. LXXII of 1954.** 6. In the principal Act, in section 15, after clause (cc), the following new clauses shall be inserted, namely:-
- “(cd) the manner of forfeiture of the vehicle or any conveyance to Government under sub-section (3) of section 6A;
- (ce) the manner of forfeiture of the vehicle or any conveyance to Government under sub-section (2) of section 6B;”