



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. LVIII]

FRIDAY, MARCH 3, 2017/PHALGUNA 12, 1938

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

PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT ANIMAL PRESERVATION (AMENDMENT) BILL, 2017.

GUJARAT BILL NO. 14 OF 2017.

A BILL

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, in sub-section (2), for the words “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”, the words “imprisonment for a term which may extend to ten years but shall not be less than seven years and with fine which 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:-
- Offences under the Act to be cognizable and non-bailable.** “9. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Act shall be cognizable and non-bailable.”.
- 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;”.

Bom. LXXII of 1954.

2 of 1974.

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Animal Preservation Act, 1954 to provide for the preservation of animals suitable for milch, breeding or agricultural purposes. In the year 2011, the State Government had made certain amendments in the said Act for better implementation of the Act. It is however, experienced while implementing the said Act that still more stringent provisions are required to be made by amending the said Act for curbing the menace of illegal slaughtering of the animals covered under the said Act to provide for more stringent punishment and effectively check the rampant use of vehicles for transporting such animals.

It is therefore, considered necessary to amend sections 6A and 6B to provide for forfeiting to Government, the vehicle or any conveyance used for transporting the animals, beef or beef products. It is also considered necessary to provide for more deterrent punishment for offences committed by contravening the provisions of the Act as also to make the offences cognizable and non-bailable.

This Bill seeks to amend the existing provisions relating to preservation of animals under the Gujarat Animal Preservation Act, 1954 to achieve the aforesaid object.

BABUBHAI BOKHIRIYA,

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill provides for delegation of legislative powers in the following respects:--

Clause 1.— Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

Clause 2.— Sub-section (4) of section 6A proposed to be substituted by this clause empowers the State Government to prescribe by rules, the manner in which the vehicle or any conveyance so seized, which is used 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, for the purpose of its slaughter, shall stand forfeited to Government.

Clause 3.— Sub-section (3) of section 6B proposed to be substituted by this clause empowers the State Government to prescribe by rules, the manner in which the vehicle or any conveyance so seized, which transports or causes to be transported the beef or beef products, shall stand forfeited to Government.

The delegation of legislative powers, as aforesaid, is necessary and is of a normal character.

Dted the 3rd March, 2017.

BABUBHAI BOKHIRIYA.

By order and in the name of the Governor of Gujarat,

K. M. LALA,

Gandhinagar,

Secretary to the Government of Gujarat,

Dated the 3rd March, 2017.

Legislative and Parliamentary Affairs Department.