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The Gujarat Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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

PART IV

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

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The following Act of the Gujarat Legislature, having been assented to by the Governor on the 1st May 1961 is hereby published for general information.

AKBAR S. SARELA,

Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT, No. XVI OF 1961.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 6th May 1961).

An Act to extend the Bombay Animal Preservation Act, 1954 through-out the State of Gujarat to repeal the corresponding laws and to amend that Act for certain purposes.

It is hereby enacted in the Twelfth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay Animal Preservation (Gujarat Extension and Amendment) Act, 1961.

Short title
and com-
mencement

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

Extension of Bom. LXXII of 1954 to rest of Gujarat State. 2. The Bombay Animal Preservation Act, 1954, as in force in the Bombay Area of the State of Gujarat immediately before the commencement of this Act is hereby extended to the rest of the State of Gujarat and shall, by virtue of extension, be in force throughout the State of Gujarat. Bom. LXXII of 1954.

Amendment of section 1 of Bom. LXXII of 1954. 3. In section 1 of the Bombay Animal Preservation Act, 1954, as so extended (hereinafter referred to as " the principal Act "), — Bom. LXXII of 1954.

(1) for sub-section (2), the following shall be substituted, namely :—

“ (2) It extends to the whole of the State of Gujarat. ” ;

(2) sub-section (3) shall be deleted.

Amendment of section 5 of Bom. LXXII of 1954. 4. In section 5 of the principal Act, —

(1) after sub-section (1), the following sub-section shall be inserted, namely :—

“ (1A) No certificate under sub-section (1) shall be granted in respect of a cow. ” ;

(2) in sub-section (2), for the words “ No certificate ” the words, brackets, figure and letter “ In respect of an animal to which sub-section (1A) does not apply, no certificate ” shall be substituted ;

(3) in sub-section (3), for the words “ religious purposes ” the words, “ religious purposes, if such animal is not a cow ” shall be substituted.

Amendment of section 15 of Bom. LXXII of 1954. 5. In section 15 of the principal Act after sub-section (3), the following sub-section shall be inserted, namely :—

“ (4) All rules made under this section shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to such modifications as the Legislature may make during the session in which they are so laid, or the session immediately following. ” .

6. After section 16 of the principal Act, the following section shall be inserted, namely :—

Insertion of
section 17
in Bom.
LXXII of
1954.

Sau.
XXIII
of
1956.

“ 17. The Saurashtra Animal Preservation Act, 1956, is hereby repealed :

Repeal and
Saving.

Provided that —

(a) every appointment, certificate, application, order, rule, notification or recognition made, issued or given under the provisions of the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, issued or given under the provisions of this Act, unless and until superseded by any appointment, certificate, application, order, rule, notification or recognition made, issued or given under this Act ;

(b) any proceedings relating to the trial of any offence punishable under the provisions of the Act so repealed shall be continued and completed as if the said Act had not been repealed but had continued in operation and any penalty imposed in such proceedings shall be recovered under the Act so repealed.”



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PART IV

Acts of the 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 16th October, 1979 is hereby published for general information.

N. B. PATEL,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 23 OF 1979.

(First published after having received the assent of the Governor in the
"Gujarat Government Gazette" on the 17th October, 1979).

An Act further to amend the Bombay Animal Preservation Act, 1954.

It is hereby enacted in the Twenty-ninth Year of the Republic of India as
follows:—

1. (1) This Act may be called the Bombay Animal Preservation (Gujarat
Amendment) Act, 1979.

Short title
and commen-
cement.

(2) It shall be deemed to have come into force on the 28th November,
1978.

Amendment
of section
5 of Bom.
LXXII of
1954.

Bom.
LXXII
of
1954.

2. In the Bombay Animal Preservation Act, 1954 (hereinafter referred to
as "the principal Act"), in section 5,—

(1) for sub-section (1A), the following shall be substituted, namely:—

“(1A) No certificate under sub-section (1) shall be granted in respect of—

(a) a cow;

(b) the calf of a cow, whether male or female and if male, whether castrated or not;

(c) a bull below the age of sixteen years;

(d) a bullock below the age of sixteen years.”;

(2) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Nothing in this section shall apply to—

(a) the slaughter of any of the following animals for such *bona fide* religious purposes, as may be prescribed, namely:—

(i) any animal above the age of fifteen years other than a cow, bull or bullock;

(ii) a bull above the age of fifteen years;

(iii) a bullock above the age of fifteen years;

(b) the slaughter of any animal not being a cow or a calf of a cow, on such religious days as may be prescribed:

Provided that a certificate in writing for the slaughter referred to in clause (a) or (b) has been obtained from the Competent Authority.”.



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 may be filed as a separate compilation.

PART—IV

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

The following Act of the Gujarat Legislature, having been assented to by the President on the 15th March, 1994 is hereby published for general information.

KUM. H. K. JHAVERI.
 Secretary to the Government of Gujarat,
 Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 4 OF 1994.

(First published, after having received the assent of the President in the "Gujarat Government Gazette" on the 15th March, 1994).

AN ACT

further to amend the Bombay Animal Preservation Act, 1954.

WHEREAS it is established that cow and her progeny sustain the health of the nation by giving them the life giving milk which is so essential an item in a scientifically balanced diet ;

AND WHEREAS the working bullocks are indispensable for our agriculture for they supply power more than any other animal ;

AND WHEREAS the working bullocks are often useful in ploughing the fields, drawal of water from the wells and also very useful for drawing carts for transporting grains and fodders from the fields to the residences of farmers as well as to the Agricultural Market Yards ;

AND WHEREAS the dung of the animal is cheaper than the artificial manures and extremely useful for production of bio-gas ;

AND WHEREAS it is established that the back-bone of Indian agriculture is, in a manner of speaking, the cow and her progeny and have, on their back, the whole structure of the Indian agriculture and its economic system ;

AND WHEREAS it is expedient to give effect to the policy of the State towards securing the principles laid down in articles 47, 48 and in clauses (b) and (c) of articles 39 of the Constitution of India and to protect, preserve and sustain cow and its progeny ;

It is hereby enacted in the Forty-fifth Years of the Republic of India as follows :—

1. (1) This Act may be called the Bombay Animal Preservation (Gujarat Amendment) Act, 1994.

(2) It shall be deemed to have come into force on the 23rd September, 1993.

2. In the Bombay Animal Preservation Act, 1954 (hereinafter referred to as "the principal Act"), in section 5,—

(1) in sub-section (1A), for clauses (c) and (d), the following clauses shall be substituted, namely :—

"(c) a bull;

(d) a bullock." ;

(2) in sub-section (3),—

(i) in clause (a), sub-clauses (ii) and (iii) shall be deleted ;

(ii) in clause (b), after the words "calf of a cow", the words "bull or bullock" shall be inserted.

3. (1) The Bombay Animal Preservation (Gujarat Amendment) Ordinance, 1993 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Bom.
LXXII
of 1954.

Guj. Ord.
4 of 1993.