



The Cattle Trespass (Madhya Pradesh Amendment) Act, 1960

Act 11 of 1960

Keyword(s):

Officer of Police, Cattle, Local Authority

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MADHYA PRADESH ACT

No. 11 of 1960

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MADHYA PRADEH ACT
(No. 11 of 1960)¹

THE CATTLE TRESPASS (MADHYA PRADESH AMENDMENT)
ACT, 1960

(Received the assent of the Governor on the 25th March 1960; assent first published in the "Madhya Pradesh Gazette," Extraordinary on the 31st March 1960.)

An Act further to amend the Cattle Trespass Act, 1871, in its application to the State of Madhya Pradesh.

Be it enacted by the Madhya, Pradesh Legislature in the Eleventh Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Cattle Trespass (Madhya Pradesh Amendment) Act, 1960.

Insertion of section 12-B

2. After section 12-A of the Cattle Trespass Act, 1871 (I of 1871), the following section shall be inserted, namely :—

Special provisions regarding cattle habitually, allowed to go astray.

"12-B. (1) If, on a report received from the Magistrate of the District or a local authority, it appears to the State Government that severe damage is being caused to crop, produce or other property in the local area under the jurisdiction of such Magistrate of the District or local authority by reason of the cattle being allowed to go astray, the State Government may, by notification, apply the provisions of this section to such local area generally or in respect of such cattle or class of cattle as may be specified therein.

(2) Every owner or keeper of cattle in respect of which the provisions of sub-section (1) have been made applicable shall keep his cattle in confinement or in detention during the period between one hour after sunset and one hour after sunrise.

(3) It shall be lawful for any person to seize any such cattle found astray in such local area and to send it immediately to the nearest pound. All officers of police, shall, when required, aid in preventing resistance to such seizure and rescue from person making such seizure.

(4) Whoever contravenes the provisions of sub-section (2) shall, on conviction for the first offence, be punished with fine which may extend to one hundred rupees and in case of a second or subsequent offence with fine which may extend to five hundred rupees or with imprisonment which may extend to six months or with both.

(5) Any fine imposed under this section shall, without prejudice to any other mode of recovery provided by law, be realised by the sale of all or any of the cattle in respect of which the offence has been committed.

Explanation.—For the purposes of this section—

- (i) 'to keep in confinement' shall mean to keep the cattle effectively confined within any fencing, wall or compound; and,
- (ii) 'to keep in detention' shall mean to keep the cattle effectively detained by any rope or other sufficiently strong tie.'

1. For Statement of Objects and Reasons (in English), see "Madhya Pradesh Gazette" Part IV (Ka) dated the 4th December 1959, page 233 and in (Hindi) page 235. For Proceedings in Assembly see Madhya Pradesh Vidhan Sabha Proceedings 1960, Vol. 7 No. 6, pages 406-425 and No. 7, pages 517-531.