



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 44 Dispur, Tuesday, 19th January, 2021, 29th Pausa , 1942 (S. E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ANIMAL HUSBANDRY AND VETERINARY DEPARTMENT

## NOTIFICATION

The 18th December, 2020

**No.VFV.244/2009/544.-** The Governor of Assam is pleased to issue the advisory for Transportation of Cattle and other Livestock from one place to another as follows:

1. While transporting Livestock from one place/state to another place/state, the transporters are often allegedly harassed by Police/Transport personnel during routine inspection of vehicles on ground of failure to produce "No Objection Certificate" or "Permit" for such transportation. It is clarified that there is no provision under any existing law for issuance of "No Objection Certificate" by any Department including the Animal Husbandry & Veterinary Department for transportation of livestock from one place/state to another place/state. Therefore, no NOC or Permit shall be issued by any authority for any kind of transportation of livestock from one place/state to another place/state.
2. In this regard the Director, Animal Husbandry & Veterinary Department had issued an instruction vide Letter No. LC/Misc Correspond/Pt/2009-10/97dated 09/07/2009 to all concerned of the Department not to issue any "No objection Certificate" for cattle trade to any transporter of livestock as there is no legal provision to issue such NOC by any department.(Annexure-A)
3. A transporter is at liberty to transport livestock as per provision of Article 19 (1) (g) but subject to reasonable restriction as per provision of Article 19(6) and also subject to conditions laid down in Articles 301-305 of the Constitution of India.
4. The transporters of livestock are required to fulfill the following legal requirements:

- A. A Health Certificate issued by a registered Veterinary Officer having the jurisdiction to issue such certificate as per provision of Transport of Animal Rules, 1978.(Annexure-B)
  - B. A Transit Certificate issued under Rule 96 of the Transport of Animal Rules, 1978 issued by an Officer of Veterinary Deptt. not below the rank of Assistant Director certifying therein that all the condition for transporting the Animals are complied with at the place from where the Animals are to be transported. (Annexure-C)
5. In the event of contravention or non compliance of any of the rules for transport of animals, it shall be the duty of *a police officer not below the rank of sub-inspector or any person authorized by the state Government in this behalf* to stop further transportation of livestock and proceed against the said offenders and deal with the animals in accordance with Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017. The authority seizing the animal shall ensure health inspection, identification and marking such animal through the jurisdictional Veterinary Officer deployed at Government Veterinary Hospital of the area. Thereafter the case will be presented before the Judicial Magistrate having jurisdiction for custody of the seized animals and the Judicial Magistrate may direct the animal to be housed at an infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala during the pendency of the litigation.
  6. It is suggested that *“Cattle Pound” which are under the control of Gram Panchayats and Urban Local Bodies should be activated. If sufficient Cattle Pounds are not available then Animal Shelter House / Gaushalas* for every district at appropriate location may be established with proper caring facilities by the district civil administration/A.H. & Veterinary Department for keeping seized/detected livestock by Police/BSF for protection until the rightful owner receives the animals, as the infirmary, pinjrapole or animal welfare organization may not be available everywhere. *The districts like Cachar, Karimganj, Dhubri, South Salmara Mancachar bordering Bangladesh and such other districts where there are big Cattle Markets should be given top priority for activating Cattle Pounds.*
  7. All the certificates viz. Health Certificate and Transit Certificate duly signed and sealed may be uploaded in the portal of Govt. of Assam and the A.H. & Veterinary Department so that the copies of the certificates carried by the transporters can be cross checked online. *The issuing authority of Health Certificate and Transit Certificate should be authorized to upload the same in the portal of Govt. of Assam and A.H. & Veterinary Department for proper online cross checking and also to prevent any kind of forgery.*
  8. The transporters of livestock are also required to fulfill the conditions laid down in the existing relevant Acts & Rules as mentioned hereunder:
    1. The Transport of Animal Rules, 1978 (Annexure- H )
    2. The Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017.(Annexure-I)

3. The Prevention of Cruelty to Animals Act, 1960 (Annexure-J)
4. Motor Vehicle Act, 1988 (Annexure-K) and
5. Other Rules, Regulations and due Govt. procedures in force whenever required.

Therefore, the Police, Transport Personnel and Veterinarians/SPCA Inspectors while inspecting the livestock carriage are required to examine only the compliance of relevant provisions of above mentioned Rules.

9. A. In this regard the Hon'ble Gauhati High Court vide its order dated 09/07/2018 in Writ Petition (Civil) No. 3802/2017, Milijuli Enterprise & Anr. Vs. State of Assam & 6 Ors has issued instruction to all competent authorities including the Police Personnel and Transport Officials not to obstruct the passage of vehicle/vehicles of the petitioner during transportation of cattle/livestock until there is specific violation of rules under the Prevention of Cruelty to Animals Act, 1960; Transport of Animals Rules, 1978 and the Motor Vehicle Act, 1988. The Hon'ble High Court also held that the police authority has the right to carry out the process of checking of any vehicle/vehicles in order to enforce the rules and the vehicles are bound to stop in order to verify compliance. **(Annexure-D)**

B. The Hon'ble Gauhati High Court in another case bearing Writ Petition (Civil) No. 7224/2016, M/S Pioneer Livestock Vs. State of Assam & 6 Ors. has also issued direction vide its order dated 02/06/2017 to the respondents in Home department to ensure that the petitioner is not unduly harassed while carrying on with her livestock business and that her business is not disturbed. This order shall, however, not be construed as a restraint order upon the police and the Transport Departmental officials from discharging their duties as per requirement of law. The Hon'ble Court also held that if the petitioner in any way feels aggrieved by the action of the police, she would be at liberty to approach the Superintendent of police by filing appropriate representation informing about such arbitrary action. If such representation is made, the same would be looked into by the Superintendent of police and appropriate steps for redressal of the grievances of the petitioner shall be taken as per law. **(Annexure-E)**

A Check list is annexed herewith as **Annexure-F** for compliance by the transporters before transportation of livestock which may be examined by the Police/Transport Personnel/ Veterinarians during transportation.

A district wise list of infirmary, pinjrapole, Animal Welfare Organization, SPCA or Gaushala along with contact details is also annexed herewith as **Annexure-G** for ready reference.

**ANNEXURE-A**

(True Copy)

OFFICE OF THE DIRECTOR OF ANIMAL HUSBANDRY &amp; VETERINARY DEPARTMENT

ASSAM:::GUWAHATI – 3

No.LC/Misc. Corresp/Pt/09-10/97

Dtd. Ghy.the 9/7/09.

From: Dr. A.K. Katak, Director, A.H.& Vety.Deptt.  
Assam,Guwahati-3.

To: The Deputy Commissioner, Dhubri.

Sub : NOC etc. for Cattle Trade – Review thereof.

Ref : Your letter No.DDM.9/09/96 Dtd. 22/6/09.

Sir,

With reference to the letter on the subject cited above, I have the honour to inform you that the earlier NOC issued for Cattle Trade has already been cancelled vide this Office letter under Memo No. LC/Misc.Corresp/Pt/09-10/53-70 dtd. 18/6/09, a copy of which is enclosed herewith for your ready reference. It is stated that the all concerned of this Deptt. are being requested not to issue such N.O.C. for Cattle trade. SPCA Inspector

This is for your kind information and necessary action.

Yours faithfully,

Sd/-

Director, A.H. & Vety.Dept Assam, Guwahati – 3.

**ANNEXURE-B**  
**SCHEDULE H (See Rule 47)**  
**PROFORMA FOR CERTIFICATE OF FITNESS TO TRAVEL**  
**CATTLE**

This Certificate should be completed and signed by a qualified Veterinary Surgeon.

Date and time of examination.....  
 Species of Cattle.....  
 Number of Trucks/Railway Wagons.....  
 Number of Cattle.....  
 Sex ..... Age .....  
 Breed and identification marks, if any.....  
 Transported from .....to .....via.....

I hereby certify that I have read rules 46 to 56 in Chapter IV of the Transport of Animals Rules, 1978.

1. That, at the request of (consignor) ..... I examined the above mentioned cattle in the goods vehicle/railway wagons not more than 12 hours before their departure.
2. That each cattle appeared to be in a fit condition to travel by rail/road and is not showing any signs of infectious or contagious or parasitic disease and that it has been vaccinated against rinderpest and any other infectious or contagious or parasitic disease(s).
3. That the cattle were adequately fed and watered for the purpose of the journey.
4. That the cattle have been vaccinated.
  - (a) Type of vaccine:
  - (b) Date of vaccination:

Signed.....  
 Address.....  
 Qualifications.....

Date.....

**ANNEXURE-C**

**Transit Certificate under Rule 95 of the Transport of Animal Rules, 1978**

**Certificate under Rule 96 of Transportation of Animals Rules 2001**

**Under Provision of Cruelty to Animals Act, 1960**

**(To be issued by an officer not below the rank of Assistant Commissioner/Director, Deputy Director or Chief Veterinary Officer of Animal Husbandry Department)**

**(Valid for Cattle Transported through Road Vehicles)**

**Date.....Time..... (As per 24 hours clock)**

**(A) ANIMAL DETAILS:**

Sl. No.	Species	Breed	Age (as per dentition)	Sex & number of animals	Description Coat (colour/Horn presentation/tail switch)	Please tick(v) or (X) wherever applicable		
						Fit for breeding purpose	Fit for Draught purpose	Fit for milking Purpose
1								
2								
3								
4								
5								
6								

**(B) Purpose of Transportation :**

For Farming/Draught Purpose -----

For Milking/Breeding Purpose-----

For Slaughter Purpose-----

Any other reason (please specify) -----

**(C) Registration Number of Vehicle-----**

**(D) Transported From -----to-----**

-----  
-----via----- (provide full

address  
from where animals are loaded, and to be unloaded)

DURATION OF THE PROPOSED JOURNEY,

(E) Name and address of the transport authority/agency-----  
 -----  
 -----Contact number-----

(F) Name and address of the vehicle's driver, & his driving license number-----  
 -----mobile number-----

(G) Name and address of consignor-----  
 -----mobile number-----

(H) Name and address of consignee-----  
 -----mobile  
 number.....

**That all of the following conditions for transporting the animals are complied with :-**

1. The animals are free from infectious diseases and all animals are healthy and are fit to undertake the journey.
2. There are no animals which are unfit for transporting such as new born, injured, diseased, blind, emaciated, lame, fatigued animals, or those that have given birth during the preceding 72 hours or likely to give birth during transport.
3. Pregnant and young animals are not mixed with other animals during transport.
4. Different classes of animals are not mixed with other animals.
5. Troublesome animals have been given tranquilizers before loading.
6. Provision of feed-fodder, water and milking facilities have been made as follows :  
 -----  
 -----
7. The average space provided per cattle in the vehicle is strictly complaint with Rule 50, Tables I and II (enclosed).
8. Vehicle has ANIMAL CARRIER board clearly visible in Bright Color (having font size of not less than 25 sq cms per letter, is black on yellow background) on both front & back side of the vehicle.

I hereby certify that I have studied and understood the requirements of all the relevant Central and State Acts, rules and orders pertaining to the said animals, including the rules relating to transport of such animals and prevention of cruelty to animals, have been duly complied with.

According to consignor/applicant's statement made in front of me today the animal/animals are not being transported for any purpose contrary to any provision of any law.

If, during any stage of the journey of the vehicle any contravention or non compliance of any of the provisions of the Transport of Animal Rules, 1978 and amendments made thereto is noticed and pointed out in writing by any officer or persons or Animal Welfare Organization authorized for this purpose by the Animal Welfare Board of India or the Central Government, then, any permit or authorization issued for such transport shall have immediately to be cancelled by the concerned authority, and it shall be the duty of the police to stop the further transport even from the intermediary station and proposed against the said offenders and deal with the animal in accordance with law.

In all such cases (mentioned in the preceding paragraph), custody of the animals immediately after unloading from the truck or any other vehicle shall have to be given to the authorized Animal Welfare Organization if available, or any other animal welfare organization having the capacity to take the said animals into its care and custody, till the Competent Authority or the Magistrate having jurisdiction decides about their care and upkeep.

That the all animals mentioned above been vaccinated for:

(a) Type of vaccine:

(b) Date of vaccination:

Signed .....

Address.....

Mobile Number.....



**ANNEXURE- D**

**THE GAUHATI HIGH COURT  
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL  
PRADESH) Case No. : WP(C) 3802/2017**

1. M/S. MILIJULI ENTERPRISE and ANR.

REP. BY SOFIQUL ALOM CHOUDHURY, HEAD OFFICE AT  
CHITRABAN PATH, KAHILIPARA, GUWAHATI- 19

2. SOFIQUL ALOM  
CHOUDHURY S/O-  
LATE A M  
CHOUDHURY R/O- AM  
CO ROAD

DHUBRI  
P.S- DHUBRI  
DIST- DHUBRI ASSAM

VERSUS

1. THE STATE OF ASSAM and 6 ORS.

REP. BY THE COMMISSIONER AND SECRETARY TO THE GOVT  
OF ASSAM, HOME DEPTT., DISPUR, GUWAHATI-6

2. THE DIRECTOR GENERAL OF POLICE

ULUBARI  
GUWAHATI- 07

3. THE INSPECTOR GENERAL OF POLICE LAW AND ORDER

ULUBARI  
GUWAHATI- 07

4. THE DEPUTY COMMISSIONER

KOKRAJHAR  
ASSAM

5. THE SUPERINTENDENT OF POLICE

KOKRAJHAR  
ASSAM

6. THE DISTRICT TRANSPORT OFFICER

KOKRAJHAR  
ASSAM

7. THE OFFICER-IN-CHARGE

SHIMALTAPU OUT POST DAMRA CHECK POSTSRIRAMPUR  
KOKRAJHAR  
ASSAM

**Advocate for the Petitioner : MR.A M KHAN**

**Advocate for the Respondent : GA, ASSAM**

**:: BEFORE ::**

**HON'BLE MR. JUSTICE PRASANTA KUMAR DEKA**

**-ORDER-**

**09.07.2018**

Heard Mr. AM Khan, learned counsel for the petitioner. Also heard Mr. TC Chutia, learned Additional Senior Government Advocate, Assam for the respondents No. 1, 2 and 3.

The present petitioner No. 1 is a registered partnership firm having its registration under the Registrar of Firms and Societies, Assam represented by the petitioner No. 2 as the Managing partner of the said firm. The petitioner firm is engaged in transportation of livestock like cattle, goat etc. both within and outside the State of Assam. During such transportation undue harassment are being faced by the petitioner firm, more specifically, from the respondents No. 4, 6 and 7. The said act of undue harassment though informed to the respondents but no action has been initiated resulting in violation of the fundamental right to practice lawful trade and right to live. As such, they have preferred this writ petition for appropriate direction directing the respondents not to cause undue harassment thereby creating hurdle/obstruction in carrying out their transportation business of livestock.

The respondent No. 5, the Superintendent of Police, Kokrajhar by filing his affidavit-in-opposition denied about such harassment being caused to the said petitioner firm. The police officers are empowered under the Motor Vehicles Act, 1988

to stop any vehicle and to check for any valid document of the vehicle and the goods carried by it. There is a specific denial by the said respondent No. 5 to that effect. As per the record, no direction was issued from the said office to any department not to allow any cattle transportation through Damra Composite Check Gate at Srirampur.

The submissions of the learned counsel are considered. The petitioner has the right to carry out his trade without there being any obstruction created by any authority until and unless there are glaring instances of violation of any rules under the Prevention of Cruelty to Animals Act, 1960 and Transport of Animals Rules,

1978. The rules so enacted are required to be complied by the transporter and if there is no such violation on the part of the petitioner during such transportation of livestock like cattle, goat etc. unnecessary creation of obstruction in the free passage of the vehicles carrying such livestock/ cattle is unwarranted except for the purpose of checking the compliance of the rules referred hereinabove and the other rules stipulated in the Motor Vehicles Act, 1988 by the competent authority. Accordingly, this writ petition is disposed of with a direction to the various authorities not to obstruct the passage of the vehicle/ vehicles of the petitioner during the transportation of cattle/ livestock until there is specific violation of the rules as aforesaid.

Needless to say that the police authority has the right to carry out the process of checking of any vehicle/ vehicles including the one of the petitioner in order to enforce the aforesaid rules and the vehicles are bound to stop in order to complete the said process of checking in order to verify compliance of the rules and to that extent the vehicle/ vehicles of the petitioner firm are equally be subjected. With the aforesaid direction, this writ petition stands disposed of.

**Comparing Assistant**

**Sd/-  
JUDGE**

**ANNEXURE- E****WP(C) 7224/2016**

M/S PIONEER LIVESTOCK  
REP: BY MEHERBANU BEGUM(PARTNER) W/O HAZRAT ALI,  
P.O. KALAPANI, DIST: DHUBRI, ASSAM.

VERSUS

THE STATE OF ASSAM AND ORS  
REP: COMMISSIONER & SECRETARY, HOME DEPTT. GOVT OF ASSAM.

: :BEFORE: :

HON'BLE MR. JUSTICE SUMAN SHYAM  
ORDER

02.06.2017

Heard Mr. A.B. Choudhury, learned senior counsel appearing for the petitioner. Also heard Mr. Y. Doloi, learned Additional Advocate General, Assam, appearing for all the respondents.

The petitioner herein claims to be dealer in Livestock having her place of business at village-Bochakta, Post Office- Kalapani, district- Dhubri, Assam. Alleging that the Police and the Transport Departmental Authorities are unduly harassing the her from carrying on business by preventing transportation of Cattle through the Damra Check Post, Srirampur on the basis that the Superintendent of Police, Kokrajhar had asked them not to allow such movement of cattle, the present writ petition has been filed.

On receipt of notice, the Superintendent of Police, Kokrajhar i.e. the respondent no. 4 has filed an affidavit denying the allegation made in the writ petition stating that he had never issued any such order asking the officials not to allow the cattle transportation of the petitioner from Damra check post but the Police Officers being empowered to do their duty as per the provisions of the Motor Vehicle Act, 1988, are authorised to stop any vehicle and check for valid documents in respect of the goods carried therein.

A separate affidavit has been filed by the respondent no. 7 taking the similar plea.

From a perusal of the affidavit filed by the respondent nos. 4 and 7, it is apparent that they are denying any action to prevent the transportation of cattle of the petitioner through the check post. The learned counsel for the petitioner has submitted that taking note of the submissions made in the affidavits, the writ petition can be closed with a direction to the Police not to disturb the business of the petitioner.

Having heard the learned counsel for the parties and in view of the stand taken in the affidavits, this writ petition is hereby disposed of with a direction to respondent nos. 4 and 7 to ensure that the petitioner is not unduly harassed while carrying on with her livestock business and that her business is not disturbed.

This order shall, however, not be construed as a restraint order upon the Police and the Transport Departmental officials from discharging their duties as per requirement of law.

If the petitioner in any way feels aggrieved by the action of the Police, she would be at liberty to approach the respondent no. 4 by filing appropriate representation informing about such arbitrary action. If such a representation is made, the same would be looked into by the respondent no.4 and appropriate steps for redressal of the grievances of the petitioner be taken as per law.

Writ petition stands disposed of.

There would be no order as to costs.

**Comparing Assistant**

**Sd/**

**JUDGE**

**ANNEXURE-F****CHECK LIST**

1. Health/Fitness Certificate issued by the Registered Veterinary Officer having jurisdiction over the place from where the Animals are to be transported.(Annexure—A)
2. A Transit Certificate under Rule 96 of the Transportation of Animal Rule, 1978. (Annexure-B)
3. Vaccination Proof against Rinderpest and other diseases.
4. Size and area of vehicle and compliance of space requirement for each animal as required under Transportation of Animal Rules, 1978.
5. Special permit of the vehicle(s) for transportation of Livestock from the Transport authority wherever required.
6. Registration Certificate of the vehicle.
7. Provision for adequate food and water in the vehicle/ rail.
8. No. of Animal Attendant(s) in the vehicle/rail as required as per provision of Transport of Animal Rules, 1978.
9. Challans and copy of payment receipts.
10. Identity and address proof of transporter.
11. Driving License and Identity/address proof of the Driver(s).
12. A certificate that load vehicle is within the capacity of the vehicle.
13. Name & authenticated full address of the vehicle owner as well as cattle owner.

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## ANNEXURE-G

## District wise lists of SPCA and Gaushala along with contact details:

Sl. No.	Name of districts	Name of organisation	Contact persons	Name	Contact Nos	E-mail address
1	Kamrup (Metro)	District SPCA	DVO	Dr Arun Sarma	9435116593 9101868174	<a href="mailto:arunsarmavety@gmail.com">arunsarmavety@gmail.com</a>
		Shree Gauhati Goushala, Athgaon	Vice President	Jayprakash Goenka	9864021221 .....	
		Maligaon Gaushala				
		PFA(Peoples For Animals)		Sangeeta Sarma		
2	Kamrup	District SPCA	DVO	Dr. Arun Sarma	9435116593 9101868174	<a href="mailto:arunsarmavety@gmail.com">arunsarmavety@gmail.com</a>
3	Kokrajhar	District SPCA	DVO	Dr. Jyotipad Das	9435329757	<a href="mailto:i.p.das.vet@gmail.com">i.p.das.vet@gmail.com</a>
4	Dhubri	District SPCA	DVO	Dr. Dinesh Gogoi	9954478661	<a href="mailto:samipray@gmail.com">samipray@gmail.com</a>
		Sri Krishna Gaushala	Secretary	Suresh Agarwal	9435028744 7002109442	
5	Goalpara	District SPCA	DVO	Dr. Sahidul Islam	7002569112	<a href="mailto:islam.shahidul68@gmail.com">islam.shahidul68@gmail.com</a>
6	Barpeta	District SPCA	DVO	Dr. Monoranjan Das	9435125009	<a href="mailto:manoranjandas315@gmail.com">manoranjandas315@gmail.com</a>

7	Morigaon	District SPCA	DVO	Dr. Anil Deka	9435164191	<a href="mailto:bhaskariyadeka07@gmail.com">bhaskariyadeka07@gmail.com</a> <a href="mailto:kakatinilutpal@gmail.com">kakatinilutpal@gmail.com</a>
8	Nagaon	District SPCA	DVO	Dr. Prabin Das	9864015359	<a href="mailto:pdas9756@gmail.com">pdas9756@gmail.com</a>
9	Sonitpur	District SPCA	DVO	Dr. Binoy Barman	8486315104 9435081851	<a href="mailto:barmanvet.drtezp@yahoo.co.in">barmanvet.drtezp@yahoo.co.in</a>
10	Lakhimpur	District SPCA	DVO	Dr. Bhaben Kakati	9435186893	<a href="mailto:bhabenkakaty01@gmail.com">bhabenkakaty01@gmail.com</a>
11	Dhemaji	District SPCA	DVO	Dr. Kulodhar Saikia	8011840530	<a href="mailto:ahvmmpa.dhemaji@gmail.com">ahvmmpa.dhemaji@gmail.com</a> <a href="mailto:kdsaikia64@gmail.com">kdsaikia64@gmail.com</a>
12	Tinsukia	District SPCA	DVO	Dr. Debananda Gogoi	6001497496	<a href="mailto:debananda.gogoi@gmail.com">debananda.gogoi@gmail.com</a>
13	Dibrugarh	District SPCA	DVO	Dr. Apurba Saikia	9435391534	<a href="mailto:apurbasaikia4553@gmail.com">apurbasaikia4553@gmail.com</a>
14	Sivasagar	District SPCA	DVO	Dr Akshy Kesari	7002102453 9435303091	<a href="mailto:akshykesari@gmail.com">akshykesari@gmail.com</a>
15	Jorhat	District SPCA	DVO	Dr. Harendra Nath Saikia	9954410041	<a href="mailto:harenaikianath@gmail.com">harenaikianath@gmail.com</a>
16	Golaghat	District SPCA	DVO	Dr. Amaulya Borah	9435150631 8751871831	<a href="mailto:amulyaborah60@gmail.com">amulyaborah60@gmail.com</a>
17	Karbi- Anglong	District SPCA	DVO	Dr. Dilip Mahanta	9954498339	<a href="mailto:dvokarbianglong@gmail.com">dvokarbianglong@gmail.com</a> <a href="mailto:dilipmahanta766@gmail.com">dilipmahanta766@gmail.com</a>
18	Dima-Hasao	District SPCA	DVO	Dr. Bhairab Kr. Kakoti	9401426233	<a href="mailto:vetyhaflong@gmail.com">vetyhaflong@gmail.com</a>



19	Cachar	District SPCA	DVO	Dr. Harendra Nath Bordoloi	9577946354	<a href="mailto:harendrabortoloi1@gmail.com">harendrabortoloi1@gmail.com</a>
		Silchar Goushala	Secretary	Kunjo babu	8638462066	
20	Karimganj	District SPCA	DVO	Dr. Chandan Baruah	9859019650	<a href="mailto:ckbaruah1960@gmail.com">ckbaruah1960@gmail.com</a>
21	Hailakandi	District SPCA	DVO	Dr. Rashid Ahmed Laskar	9435079548	<a href="mailto:drashidahmedlaskar@gmail.com">drashidahmedlaskar@gmail.com</a>
22	Bongaigaon	District SPCA	DVO	Dr. N. K. Chakrabarty	9706265167	<a href="mailto:nkc0301.nkc@gmail.com">nkc0301.nkc@gmail.com</a>
23	Chirang	District SPCA	DVO	Dr. Ranjit Sarma	9435383731	<a href="mailto:ranjitsarma162@gmail.com">ranjitsarma162@gmail.com</a>
24	Nalbari	District SPCA	DVO	Dr. Aswini Kalita	9401664513 9435110764	<a href="mailto:s22kalita@gmail.com">s22kalita@gmail.com</a>
25	Baksa	District SPCA	DVO	Dr. Gajendra Nath Boro	9957714417	<a href="mailto:dvobaksa@gmail.com">dvobaksa@gmail.com</a>
26	Darrang	District SPCA	DVO	Dr. Khagendra Nath Sarmah	9435185211	<a href="mailto:knsarmah8@gmail.com">knsarmah8@gmail.com</a>
27	Udalguri	District SPCA	DVO	Dr. Nagen Kalita	9864148017	<a href="mailto:nagenkalita444@gmail.com">nagenkalita444@gmail.com</a>
28	Majuli	District SPCA	DVO	Dr. Dandadhar Barman	7002545522 9435469968	<a href="mailto:dandadharbarman1@gmail.com">dandadharbarman1@gmail.com</a>
29	Biswanath Chariali	District SPCA	DVO	Dr. Dwipendra Nath Sarma	8724009486	<a href="mailto:drdwipendranathsarman@gmail.com">drdwipendranathsarman@gmail.com</a>
30	Hojai	District SPCA	DVO	Dr. Shamim Ahmed	7663895883	<a href="mailto:rahmanshamim321@gmail.com">rahmanshamim321@gmail.com</a>
31	Charaideu	District SPCA	SDVO	Dr. Pranab Bora	7002287244	<a href="mailto:sdvosnr@gmail.com">sdvosnr@gmail.com</a>

\*DVO-District Animal Husbandry & Veterinary Officer, SDVO-Sub-Divisional Animal Husbandry & Veterinary Officer. As on date there is no infirmary, pinjrapole or registered Animal Welfare Organization reported in any district of Assam.

**ANNEXURE-H**  
**Relevant Provision of the Transport of Animal Rules, 1978**

AA. The main provisions of the Transport of Animal Rules, 1978 to be followed before and during transportation of cattle are:

Rule 46: Rules 47 to 56 of the Transport of Animal Rules, 1978 shall apply to the transport by rail or road of Cattle. Cattle here means cows, bulls, bullocks, buffaloes, yaks and calves.

47. (a) A valid certificate by a qualified veterinary surgeon to the effect that the cattle are in a fit condition to travel by rail or road and are not suffering from any infectious or contagious or parasitic diseases and that they have been vaccinated against rinderpest and any other infectious or contagious or parasitic diseases, shall accompany each consignment. (b) In the absence of such a certificate, the carrier shall refuse to accept the consignment for transport. (c) The certificate shall be in the form specified in **Schedule – H (Annexure-A)**.

48. Veterinary first-aid equipment shall accompany all batches of cattle.

49. (a) Each consignment shall bear a label showing in bold red letters the name, address and telephone number (if any) of the consignor and consignee, the number and types of cattle being transported and quantity of rations and food provided.

(b) The consignee shall be informed about the train or vehicle in which the consignment of cattle is being sent and its arrival time in advance.

(c) The consignment of cattle shall be booked by the next train or vehicle and shall not be detained after the consignment is accepted for booking.

50. The average space provided per cattle in Railway wagon or vehicle shall be less than two square metres or as provided in Tables I and II as given below.

**TABLE I**  
**SPACE ALLOWANCE PER CATTLE**

Cattle weighing upto 200kg	1.00 Square Meter
Cattle weighing 200kg-300kg	1.20 Square Meter
Cattle weighing 300kg-400kg	1.40 Square Meter
Cattle weighing above 400kg	2.00 Square Meter

**TABLE II**  
**SPACE REQUIREMENT FOR CATTLE WHILE BEING**  
**TRANSPORTED IN COMMONLY SIZED ROAD VEHICLES**

Vehicle size Floor Area Length X Width Square Meter	Floor Area of the vehicle in Square Meter	Number of Cattle			
		Cattle weighing upto 200kg (1 Square Meter space per Cattle)	Cattle weighing 200-300kg (1.20 Square Meter space Per Cattle)	Cattle weighing 300-400kg.(1.40 Square Meter space Per Cattle)	Cattle weighing above 400kg.(2.00 Square Meter space Per Cattle)
6.9X2.4	16.56	16	14	12	8
5.6X2.3	12.88	12	10	8	6
4.16X1.9	7.904	8	6	6	4
2.9X1.89	5.481	5	4	4	2

51. (a) Suitable rope and platforms should be used for loading cattle from vehicles. (b) In case of railway wagon the dropped door of the wagon may be used as a ramp when loading or unloading is done to the platform.

52. Cattle shall be loaded after they are properly fed and given water.

53. Cattle in advanced stage of pregnancy shall not be mixed with young cattle in order to avoid stampede during transportation.

54. (1) Watering arrangements on route shall be made and sufficient quantities of water shall be carried for emergency.

(2) Sufficient feed and fodder with adequate reserve shall be carried to last during the journey.

(3) Adequate ventilation shall be ensured.

55. When cattle is to be transported by rail.

(a) An ordinary goods wagon shall carry not more than ten adult cattle or fifteen calves on broad gauge, not more than six adult cattle or ten calves on meter gauge, or not more than four adult cattle or six calves on narrow gauge.

(b) Every wagon carrying cattle shall have at least one attendant.

(c) Cattle shall be loaded parallel to the rails, facing each other.

(d) Rations for padding, such as straw, shall be placed on the floor to avoid injury if a cattle lies down and this shall not be less than 6 cms thick.

(e) Rations for the journey shall be carried in the middle of the wagon.

(f) To provide adequate ventilation, upper door of one side of the wagon shall be kept open properly fixed and the upper door of the wagon shall have wire gauge closely welded mesh arrangements to prevent burning cinders from the engines entering the wagon and leading to fire outbreak.

(g) Cattle wagons should be attached in the middle of the train.

(h) Cooking shall not be allowed in the wagons nor hurricane lamps without chimneys.

(i) Two breast bars shall be provided on each side of the wagon, one at height of 60 to 80 cm and the other at 100 to 110 cm.

(j) Cattle-in-milk shall be milked at least twice a day and the calves shall be given sufficient quantity of milk to drink.

(k) As far as possible, cattle may be moved during the nights only.

(l) During day time, if possible, they should be unloaded, fed, given water and rested and if in milk, milking shall be carried out.

56. When cattle are to be transported by goods vehicle the following precautions are to be taken namely:-

(a) Specially fitted goods vehicles with a special type of tail board and padding around the sides should be used.

(b) Ordinary goods vehicles shall be provided with anti-slipping material, such as coir matting or wooden board on the floor and the superstructure, if low, should be raised.

(c) No goods vehicle shall carry more than six cattle.

(d) Each goods vehicle shall be provided with one attendant.

(e) While transporting, the cattle, the goods vehicle shall not be loaded with any other merchandise; and

(f) To prevent cattle being frightened or injured, they should preferably, face the engine.

**96. Issue of certificate before transportation-** (I) A valid certificate issued by an officer or any person or Animal Welfare Organization duly recognized and authorized for this purpose by the Animal Welfare Board of India or the Central Government shall be procured by any person making transport of any animal before transportation of such animal verifying that all the relevant Central & State Acts, rules and orders pertaining to be said animals including the rules relating to transport of such animals have been duly complied with and that the animal is not being transported for any purpose contrary to the provision of any law.

The AWBI has notified that an officer not below the rank of Assistant Director of Veterinary Department will issue a Transit Certificate under Rule 96.

(2) In the absence of such certificate, the carrier shall refuse to accept the consignment for transport.

Explanation – For the purposes of this rule the certificate shall be issued in such form as may be specified for this purpose by the Central Government.

Format is annexed as **Annexure-B** as mentioned herein above.

**98. General conditions of transport** – (1) Animal to be transported shall be healthy and in good condition and such animals shall be examined by a veterinary doctor for freedom from infectious diseases and their fitness to undertake the journey, provided that the nature and duration of the proposed journey shall be taken into account while deciding upon the degree of fitness.

(2) An Animal which is unfit for transport shall not be transported and the animals who are new born, diseased, blind emaciated, lame, fatigued or having given birth during the preceding seventy two hours or likely to give birth during transport shall not be transported.

(3) Pregnant and very young animals shall not be mixed with other animals during transport.

(4) Different classes of animals shall be kept separately during transport.

(5) Diseased animal, whenever transported for treatment, shall not be mixed with other animals

(6) Troublesome animals shall be given tranquilizers before loading during transport.

(7) Animals shall be transported in their on-farm social groups (established at least one week prior to journey).

BB. The relevant provisions of the Transport of Animal Rules, 1978 relating to transportation of Sheep & Goats, Pigs, Dogs & Cats, Equines, monkeys and poultry are mutadis mutandis similar except the space requirement in the carriage. The Health Certificate and Transit Certificates are mandatory for transportation of Sheep & Goats, Pigs, Dogs & Cats, Equines, Monkeys and poultry. However, the Formats of Health Certificates annexed as Schedules into the Transport of Animal Rules, 1978 are different for different animals.

Sl No	Fitness Certificate for	Formats
1	Dogs & cats	Schedule A
2	Monkeys	Schedule D
3	Cattle	Schedule H (Annexure- A)
4	Equines	Schedule I
5	Sheeo & Goat	Schedule J
6	Pigs	Schedule k

Dangerous dogs and cats are to be transported individually in a cage and in extreme cases administered with sedative drugs by a veterinarian. The monkeys are also to be transported in large wooden or bamboo cages made in the carriage for 10-12 numbers of monkeys together.

The officials of the concerned departments engaged for checking of transportation of livestock are advised to have a copy of Transport of Animal Rules, 1978 for better handling of issues in hand.

#### ANNEXURE-I

##### **Relevant Provision of the Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules, 2017.**

1. Section 2 (c) “cattle” means a bovine animal including bulls, cows, buffalos, steers, heifers and calves and includes camels;
2. Section 3 : Custody of animals pending litigation.— When an animal has been seized under the provision of the Act or the rules made thereunder—
  - (a) the authority seizing the animal shall ensure health inspection, identification and marking such animal, through the jurisdictional veterinary officer deployed at Government Veterinary Hospital of the area and marking may be done by ear tagging or by chipping or by any less irksome advance technology but marking by hot branding, cold branding and other injurious marking shall be prohibited;
  - (b) the magistrate may direct the animal to be housed at an infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala during the pendency of the litigation.
3. Section 4: Cost of care and keeping of animal pending litigation.— (1) The State Board shall within three months from the date of commencement of these rules and thereafter on the 1<sup>st</sup> day of April every year, specify the cost of transport, maintenance and treatment per day for every species of animal that is commonly seized in the State.
  - (2) The magistrate shall use the rates specified by the State Board as the minimum specified rates for transport, maintenance and treatment of the seized animals under sub-section (4) of section 35 of the Act.
  - (3) In case the animal under consideration is not on the rate sheet specified by the State Board, the magistrate shall fix the cost of transport, treatment and maintenance of the animal based on the input provided by the jurisdictional veterinary officer.
4. Section 5: Execution of bond.— (1) The magistrate when handing over the custody of animal to an infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala shall determine an amount which is sufficient to cover all reasonable cost incurred and anticipated to be incurred for transport, maintenance and treatment of the animal based on the input provided by the jurisdictional veterinary officer and shall direct the accused and the owner to execute a bond of the determined value with sureties within

three days and if the accused and owner do not execute the bond, the animal shall be forfeited to infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala.

(2) The infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala having the custody of the animal may draw on from the bond on a fortnightly basis the actual reasonable cost incurred in caring for the animal from the date it received custody till the date of final disposal of the animal.

(3) The magistrate shall call for the accused and the owner to execute additional bond with sureties once eighty per cent. of the initial bond amount has been exhausted as cost for caring for the animal.

(4) Where a vehicle has been involved in an offence, the magistrate shall direct that the vehicle be held as a security.

(5) In case of offence relating to transport of animals, the vehicle owner, consignor, consignee, transporter, agents and any other parties involved shall be jointly and severally liable for the cost of transport, treatment and care of animals.

(6) In cases where a body corporate owns the animal, the Chief Executive Officer, President or highest-ranking employee of the body corporate, the body corporate and the accused shall be jointly and severally liable for the cost of transport, treatment and care of the animal.

(7) In cases where the Government owns the animal, the Head of the Department and the accused shall be jointly and severally liable for the cost of transport, treatment and care of the animal.

(8) If the owner and the accused do not have the means to furnish the bond, the magistrate shall direct the local authority to undertake the costs involved and recover the same as arrears of land revenue.

5. Section 6: Abandoned animal.— (1) In case where the investigating officer files a report that prima facie offence under the Act has been made out but he is unable to determine the accused or the owner of the animal, then the magistrate shall direct the local authority to undertake the costs involved and it shall be deemed that the owner has relinquished the ownership of the animal.

(2) The relinquishment of ownership shall have no effect on any criminal charges against the unknown offender or the owner.

6. Section 7: Voluntary relinquishment.— Nothing in these rules shall be construed to prevent the voluntary and permanent relinquishment of any animal by the owner who is the accused, to infirmary, pinjarapole, SPCA, Animal Welfare Organisation or Gaushala in lieu of executing a bond but the voluntary and permanent relinquishment shall have no effect on any criminal charges against the accused or owner.

7. **Section 8: Status of animal upon disposal of litigation.**— (1) If the accused is convicted, or pleads guilty, the magistrate shall deprive him of the ownership of animal and forfeit the seized animal to the infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala already having custody for proper adoption or other disposition.

(2) If the accused is found not guilty of all charges, the seized animal shall be returned to the accused or owner of the animal and the unused portion of any bond amount executed shall be returned to the person who executed the bond.

8. **Section 9: Process of adoption or other disposition.**— May consult the Rules for detail procedure (1) The infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala having custody of the animal during the litigation or post litigation may euthanize the animal in its custody as per section 13 of the Act.

(2) Where the animal has been forfeited to the infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala after conviction, abandonment or voluntary relinquishment, as the case may be, the animal shall be put up for adoption.

(3) A person who has been charged under the Act or any cattle preservation law made by the State Government shall be prohibited from adopting animals from the infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala.

(4) The infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala prior to giving the animal for adoption shall,—

(a) in case of cattle, take an undertaking in form of an affidavit that the animals are adopted for agriculture purposes and not for slaughter, and verify that the person adopting the animal is an agriculturist by seeing the relevant revenue document;

(b) in case of draught and pack animals, take an undertaking in the form of an affidavit that the animals are adopted for draught and pack purposes and not for slaughter;

(c) in case of dogs and cats, ensure that the animal is spayed or neutered before adoption;

(d) keep a record of name and address of the person adopting the animal and procure an identity proof and address proof of the person adopting the animal;

(e) obtain from the person adopting the animal a declaration in the form of an affidavit that he shall not alienate the animal up to six months from the date of adoption and shall abide by the rules for transport framed under the Act or any other law for the time being in force and shall get regular veterinary checkup done for the animal.

(5) The person adopting the animal shall—

(a) not sell the animal;

(b) not abandon the animal;

(c) follow the State cattle protection and preservation law;



- (d) not sacrifice the animal for any religious purpose;
- (e) not sell the cattle to a person outside the State without permission as per the State cattle protection and preservation law.
- (6) Where a cattle or a draught and pack animal has been adopted, before its removal from the premises of the infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala, the proof of adoption shall be issued in five copies, out of which first copy shall be handed over to person adopting the animal, second copy to infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala, as the case may be, third copy to tehsil office of the residence of person adopting the animal, fourth copy to the Chief Veterinary Officer, Office of District of person adopting the animal and last copy shall be sent to the court to be filed in the case file.
- (7) The adoption of animal shall not create an irrevocable right to the person adopting the animal, and the infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala, as the case may be, may from time to time inspect the animal and in case it finds that the person who has adopted the animal is not providing sufficient care or it has reasons to believe that an offence under the Act or any cattle preservation law is anticipated, then the infirmary, pinjrapole, SPCA, Animal Welfare Organisation or Gaushala, as the case may be, shall take possession of the animal.
- (8) The person adopting the animal shall only be the lawful guardian of the animal and shall not have any rights bestowed generally to an owner of the animal, but shall have the duty to take all responsible measures to ensure the well being of such animal and to prevent infliction upon such animal of unnecessary pain or suffering.

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**ANNEXURE- J****Relevant provision of the Prevention of Cruelty to Animals Act, 1960**

1. In this Act, as per section 2(a) “animal” means any living creature other than a human being;

2. Section 11 under Chapter III enlisted the action that amounts to cruelty to animals

Section 11. Treating animals cruelly:

(1) If any person—

- (a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes or, being the owner permits, any animal to be so treated; or
- (b) employs in any work or labour or for any purpose any animal which, by reason of its age or any disease], infirmity, wound, sore or other cause, is unfit to be so employed or, being the owner, permits any such unfit animal to be so employed;
- (c) wilfully and unreasonably administers any injurious drug or injurious substance to any animal] or wilfully and unreasonably causes or attempts to cause any such drug or substance to be taken by any animal; or
- (d) conveys or carries, whether in or upon any vehicle or not, any animal in such a manner or position as to subject it to unnecessary pain or suffering; or
- (e) keeps or confines any animal in any cage or other receptacle which does not measure sufficiently in height, length and breadth to permit the animal a reasonable opportunity for movement; or
- (f) keeps for an unreasonable time any animal chained or tethered upon an unreasonably short or unreasonably heavy chain or cord; or
- (g) being the owner, neglects to exercise or cause to be exercised reasonably any dog habitually chained up or kept in close confinement; or
- (h) being the owner of <sup>3</sup>[any animal] fails to provide such animal with sufficient food, drink or shelter; or
- (i) without reasonable cause, abandons any animal in circumstances which render it likely that it will suffer pain by reason of starvation or thirst; or
- (j) wilfully permits any animal, of which he is the owner, to go at large in any street while the animal is affected with contagious or infectious disease or, without reasonable excuse permits any diseased or disabled animal, of which he is the owner, to die in any street; or
- (k) offers for sale or, without reasonable cause, has in his possession any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment; or
- (l) mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections in the heart or in any other unnecessarily cruel manner; or]

(m) solely with a view to providing entertainment—

(i) confines or causes to be confined any animal (including tying of an animal as a bait in a tiger or other sanctuary) so as to make it an object of prey for any other animal; or

(ii) incites any animal to fight or bait any other animal; or

(n) organises, keeps, uses or acts in the management of, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes; or

(o) promotes or takes part in any shooting match or competition wherein animals are released from captivity for the purpose of such shooting; he shall be punishable, in the case of a first offence, with fine which shall not be less than ten rupees but which may extend to fifty rupees and in the case of a second or subsequent offence committed within three years of the previous offence, with fine which shall not be less than twenty-five rupees but which may extend to one hundred rupees or with imprisonment for a term which may extend to three months, or with both.

(2) For the purposes of sub-section (1), an owner shall be deemed to have committed an offence if he has failed to exercise reasonable care and supervision with a view to the prevention of such offence:

Provided that where an owner is convicted of permitting cruelty by reason only of having failed to exercise such care and supervision, he shall not be liable to imprisonment without the option of a fine.

(3) Nothing in this section shall apply to—

(a) the dehorning of cattle, or the castration or branding or nose-roping of any animal, in the prescribed manner; or

(b) the destruction of stray dogs in lethal chambers or by such other methods as may be prescribed; or

(c) the extermination or destruction of any animal under the authority of any law for the time being in force; or

(d) any matter dealt with in Chapter IV; or

(e) the commission or omission of any act in the course of the destruction or the preparation for destruction of any animal as food for mankind unless such destruction or preparation was accompanied by the infliction of unnecessary pain or suffering.

3. Section 28 of the Act, 1960 Saving as respects manner of killing prescribed by religion.—Nothing contained in this Act shall render it an offence to kill any animal in a manner required by the religion of any community.
4. Section 30: Power of court to deprive person convicted of ownership of animal.—(1) If the owner of any animal is found guilty of any offence under this Act, the court, upon his conviction thereof, may, if it thinks fit, in addition to any other punishment, make an order that the animal with respect to which the offence was committed shall be forfeited to Government and may, further, make such order as to the disposal of the animal as it thinks fit under the circumstances.

(2) No order under sub-section (1) shall be made unless it is shown by evidence as to a previous conviction under this Act or as to the character of the owner or otherwise as to the treatment of the animal that the animal, if left with the owner, is likely to be exposed to further cruelty.

(3) Without prejudice to the provisions contained in sub-section (1), the court may also order that a person convicted of an offence under this Act shall, either permanently or during such period as is fixed by the order, be prohibited from having the custody of any animal of any kind whatsoever, or, as the court thinks fit, of any animal of any kind or species specified in the order.

(4) No order under sub-section (3) shall be made unless—

(a) it is shown by evidence as to a previous conviction or as to the character of the said person or otherwise as to the treatment of the animal in relation to which he has been convicted that an animal in the custody of the said person is likely to be exposed to cruelty;

(b) it is stated in the complaint upon which the conviction was made that it is the intention of the complainant upon the conviction of the accused to request that an order be made as aforesaid; and

(c) the offence for which the conviction was made was committed in an area in which under the law for the time being in force a licence is necessary for the keeping of any such animal as that in respect of which the conviction was made.

(5) Notwithstanding anything to the contrary contained in any law for the time being in force, any person in respect of whom an order is made under sub-section (3) shall have no right to the custody of any animal contrary to the provisions of the order, and if he

contravenes the provisions of any order, he shall be punishable with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

(6) Any court which has made an order under sub-section (3) may at any time, either on its own motion or on application made to it in this behalf, rescind or modify such order.

5. Section 33: Search warrants.—(1) If a magistrate of the first or second class or a presidency magistrate or a sub-divisional magistrate or a commissioner of police or district superintendent of police, upon information in writing, and after such inquiry as he thinks necessary, has reason to believe that an offence under this Act is being, or is about to be, or has been committed in any place, he may either himself enter and search or by his warrant authorise any police officer not below the rank of sub-inspector to enter and search the place.

(2) The provisions of the Code of Criminal Procedure, 1898 (5 of 1898), relating to searches shall, so far as those provisions can be made applicable, apply to searches under this Act.

6. Section 34: General power of seizure for examination.—Any police officer above the rank of a constable or any person authorised by the State Government in this behalf,

who has reason to believe that an offence against this Act has been or is being, committed in respect of any animal, may, if in his opinion the circumstances so require, seize the animal and produce the same for examination by the nearest magistrate or by **such veterinary officer** as may be prescribed, and such police officer or authorised person may, when seizing the animal, require the person in charge thereof to accompany it to the place of examination.

7. Section 35: Treatment and care of animals.—(1) The State Government may, by general or special order, appoint infirmaries for the treatment and care of animals in respect of which offences against this Act have been committed, and may authorise the detention therein of any animal pending its production before a magistrate.

(2) The magistrate before whom a prosecution for an offence against this Act has been instituted may direct that the animal concerned shall be treated and cared for in an infirmary, until it is fit to perform its usual work or is otherwise fit for discharge, or that it shall be sent to a *pinjrapole*, or, if the veterinary officer in charge of the area in which the animal is found or such other veterinary officer as may be authorised in this behalf by rules made under this Act certifies that it is incurable or cannot be removed without cruelty, that it shall be destroyed.

- (3) An animal sent for care and treatment to an infirmary shall not, unless the magistrate directs that it shall be sent to a *pinjrapole* or that it shall be destroyed, be released from such place except upon a certificate of its fitness for discharge issued by the veterinary officer in charge of the area in which the infirmary is situated or such other veterinary officer as may be authorised in this behalf by rules made under this Act.
- (4) The cost of transporting the animal to an infirmary or *pinjrapole*, and of its maintenance and treatment in an infirmary, shall be payable by the owner of the animal in accordance with a scale of rates to be prescribed by the district magistrate, or, in presidency-towns, by the commissioner of police:
- Provided that when the magistrate so orders on account of the poverty of the owner of the animal no charge shall be payable for the treatment of the animal.
- (5) Any amount, payable by an owner of an animal under sub-section (4) may be recovered in the same manner as an arrear of land revenue.
- (6) If the owner refuses or neglects to remove the animal within such time as a magistrate may specify, the magistrate may direct that the animal be sold and that the proceeds of the sale be applied to the payment of such cost.
- (7) The surplus, if any, of the proceeds of such sale shall, on application made by the owner within two months from the date of the sale, be paid to him.

**ANNEXURE- K**  
**Motor Vehicle Act, 1988 (As amended up to date)**

**Section 3: Necessity for driving license:** No person shall drive a Motor vehicle in public place unless he holds an effective driving license issued to him authorizing him to drive the vehicle.

**Section 4: Age limit in connection with drive with Motor vehicle** no person under the age of 18 years shall drive a Motor vehicle any public place.

**Section 5:** No owner or person in charge of a Motor vehicle shall allow any person who does not have a driving license to drive the vehicle.

**Section 9: Grant of driving license:** A person who is not for the time being disqualified for holding or obtaining a driving license may apply to the Licensing authority having jurisdiction in areas. Licensing Authority thereafter examining all the relevant documents and conducting the required test may issue a license to the person if fulfilled all the required conditions.

Section 39: Necessity for Registration: No person shall drive any Motor vehicle and no owner of a vehicle shall cause or permit the vehicle to be driven in any public place or any other place unless the vehicle is registered in accordance with this chapter and the Certificate of registration of the vehicle has not been suspended or cancelled and the vehicle carrying a Registration mark displayed in the prescribed manner.

Section 40: Registration where to be made: The owner of the vehicle shall register his vehicle before a registering authority in whose jurisdiction he has the residence or place of business where the vehicle is normally kept.

Section 66: Necessity for Permits Section 66: No owner of a Motor vehicle shall use or permit the use of the vehicle as a transport vehicle in any public place where such vehicle is actually carrying passengers or goods save in accordance with the condition as of a permit granted or countersigned by a Regional or a State Transport Authority.

Apart from above, the vehicle should be prepared for transportation of livestock or poultry as prescribed in the Transport of Animal Rules, 1978 either by inserting cage or making separate compartment for intended transportation.

**R. MUSHAHARY,**

Secretary to the Government of Assam,  
Animal Husbandry and Veterinary Department, Dispur.