

**THE CATTLE TRESPASS (HIMACHAL PRADESH AMENDMENT)  
ACT, 1973**

**ARRANGEMENT OF SECTIONS**

Sections:

1. Short title, extent and commencement.
2. Amendment of section 3.
3. Amendment of section 10
4. Amendment of section 14.
5. Insertion of section 14-A.
6. Amendment of section 17.
7. Amendment of section 26.
8. Repeal and savings.

---

**THE CATTLE TRESPASS (HIMACHAL PRADESH AMENDMENT)  
ACT, 1973**

**(ACT NO. 7 OF 1974)<sup>1</sup>**

(Received the assent of the Governor on the 7<sup>th</sup> February, 1974, and was published in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 16<sup>th</sup> February, 1974, pp. 161-164).

**An Act to amend the Cattle Trespass Act, 1871 (Act No 1 of 1871) in its application to Himachal Pradesh.**

**BE** it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-fourth Year of the Republic of India as follows:-

**1. Short title, extent, and commencement.-** (1) This Act may be called the Cattle Trespass (Himachal Pradesh Amendment) Act, 1973.

(2) It shall extend to the whole of Himachal Pradesh.

(3) It shall come into force at once.

**2. Amendment of section 3.-** In section 3 of the Cattle Trespass Act, 1871 (1 of 1871) (hereinafter referred to as the principal Act), after the word "cattle" the words "does not include such bulls as are let loose for stud purposes and are specified by notification in the Official Gazette in this behalf but" shall be inserted.

**3. Amendment of section 10.-** In section 10 of the principal Act, after the words "or any part thereof", the words "or any person authorized in this

---

1. For Statement of the Objects and Reasons, see the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 7<sup>th</sup> April, 1973, p. 539.

behalf, either by name or by virtue of office, by Government” shall be inserted.

**4. Amendment of section 14.-** In section 14 of the principal act, for the word "seven" where it occurs for the first time, the word "three" and where it occurs for the second time, the word "four" shall be substituted.

**5. Insertion of Section 14-A.-** After section 14 of the principal Act, the following section shall be inserted, namely:-

**“14-A. Procedure for Speedy disposal of certain unclaimed cattle.-** Notwithstanding anything contained in section 14 where any unattached calf, kid or lamb or any decrepit, weak or maimed cattle is impounded the pound keeper shall report the fact to the officer specified in that section within twenty-four hours of the impounding and such officer shall, within twenty-four hours of such report and if such unattached calf, kids or lamb or cattle has not been claimed within twenty-four hours of its impounding cause them to be disposed of by auction or otherwise after a proclamation of its disposal has been made by beat of drum in the village and at the market place nearest to the place of seizure and in such other manner as may be prescribed:

Provided that if in the opinion of the Magistrate of the district the disposal of any such unattached calf, kid or lamb or cattle is not likely to fetch a fair price, he may send such cattle to any gosadan or pinjrapole.

*Explanation.-*For the purpose of this section the expression-

- (a) “Gosadan” or “Pinjrapole” means a place or an institution where old, decrepit, wounded or otherwise non-productive or useless cattle are kept for the purpose of maintenance and not for any commercial purpose, whether such place or institution is managed by Government or by a private society or person; and
- (b) “unattached calf, kid or lamb” means a calf, kid or lamb not attached to its mother.”

**6. Amendment of section 17.-** in section 17 of the principal Act, the words after the word “deposit” shall be omitted and shall be substituted with the following words, namely-

“and, if no claim thereto is preferred within six months from the date of deposit or, if such claim having been preferred within this period is not established, such proceeds shall stand forfeited to the Government.”

**7. Amendment of Section 26.-** Sections 26 of the principal Act shall be renumbered as sub-section (1) and thereafter the following new sub-section shall be added, namely:-

“(2) While convicting such person the Magistrate may also-

- (a) require him to pay to the person whose land, crop or produce has been damaged such compensation, not exceeding two

hundred and fifty rupees, as may be considered reasonable, and

- (b) order that the cattle in respect of which the offence has been committed shall, in addition to any other penalty imposed be forfeited to the Government.”.

**8. Repeal and savings.-** The Cattle Trespass (Punjab Amendment) Act, 1952 (24 of 1952) and the Cattle Trespass (Punjab Amendment) Act, 1959 (18 of 1959) as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organization Act, 1966 (31 of 1966) are hereby repealed:

Provided that anything done or any action taken in exercise of the powers conferred by or under the provisions of the Acts so repealed shall to the extent of their being consistent with the provisions of this Act be deemed to have been done or taken in exercise of the powers conferred by or under this Act, as if this Act was in force on the day on which such thing was done or action taken.

---